

<p>1 Thursday, 2 December 2021</p> <p>2 (10.00 am)</p> <p>3 (Proceedings delayed)</p> <p>4 (10.22 am)</p> <p>5 MR CALLUM MICHAEL TULLEY (continued)</p> <p>6 Examination by MR ALTMAN (continued)</p> <p>7 MR ALTMAN: Mr Tulley, before I move on, you will remember</p> <p>8 yesterday I was asking you about the incident on</p> <p>9 25 April, and I showed you a use of force DCF 2 form</p> <p>10 that was used, and, in particular, the F213, the medical</p> <p>11 form with the body maps with a name at the end of it</p> <p>12 which I thought read "M Malcolm". I'm told, in fact, it</p> <p>13 was Nurse Makucka, M-A-K-U-C-K-A. Does that mean</p> <p>14 anything to you?</p> <p>15 <b>A. The name doesn't ring a bell, sir, no.</b></p> <p>16 Q. Let's move on, then, to the time when D1527 was on the</p> <p>17 netting in D wing on 4 May. You deal with this in your</p> <p>18 police witness statement at page 7, which is for you,</p> <p>19 chair, behind tab A/1?</p> <p>20 THE CHAIR: Thank you.</p> <p>21 MR ALTMAN: If we can put up on screen -- we saw it</p> <p>22 yesterday -- &lt;SXP000120&gt; at page 7. If we can highlight</p> <p>23 from Thursday, 4 May down, please. Here we have what</p> <p>24 you had to say about it:</p> <p>25 "On Thursday, 4 May ... I was talking to</p> <p style="text-align: center;">Page 1</p>	<p>1 Sunil Sharma?</p> <p>2 <b>A. Sunil was certainly there. He may have told me, sir.</b></p> <p>3 <b>I think a nurse may have also told me at some point.</b></p> <p>4 Q. Whatever it was, it was something to do with a plate</p> <p>5 and, perhaps, later on in the course of this inquiry, we</p> <p>6 will hear something from him from his perspective as to</p> <p>7 why he was up there and why he was doing what he was</p> <p>8 doing.</p> <p>9 But we can look at a transcript. I'm not going to</p> <p>10 play the video footage because we have seen it before,</p> <p>11 but I am going to ask you, please, to look at</p> <p>12 a transcript.</p> <p>13 Chair, for us it is -- when I say "for us", for you</p> <p>14 and me, it is tab B/28. Can we put up &lt;TRN0000004&gt;. If</p> <p>15 we look on the left-hand column at line 19,</p> <p>16 Precious Okolie Nwokeji says something about:</p> <p>17 "... a bitch because he was told about a plate."</p> <p>18 You say:</p> <p>19 "He was told about a what?"</p> <p>20 "A plate."</p> <p>21 So that is apparently the reason why he was on the</p> <p>22 netting at that point. Although we don't really need to</p> <p>23 look at it, there was, you may recall, a discussion,</p> <p>24 which, if we were to look at it, you'd see from page 2</p> <p>25 onwards of this transcript, about locking down the wing.</p> <p style="text-align: center;">Page 3</p>
<p>1 a detainee ... when I heard shouting coming from D wing.</p> <p>2 I made my way towards the wing and entered. I could see</p> <p>3 a male who I knew as D1527 stood on the suicide netting</p> <p>4 which is suspended between the landings to prevent</p> <p>5 people jumping down and committing suicide. D1527 was</p> <p>6 threatening to jump off. I said to him, 'Don't be</p> <p>7 silly'. Later I was stood next to DCO Clayton Fraser</p> <p>8 who was watching."</p> <p>9 You will remember I asked you about this yesterday:</p> <p>10 "I asked Clayton what was the best way to deal with</p> <p>11 someone like [him]. Clayton replied saying, 'What Yan</p> <p>12 did'. I took that to be a reference to what Yan did on</p> <p>13 25 April in D1527's room. Eventually, he was talked off</p> <p>14 the netting by another detainee. I was also told by an</p> <p>15 officer that it was to do with him having an issue over</p> <p>16 some washing up."</p> <p>17 We don't need to look at it, but you will remember</p> <p>18 you produced as an exhibit to your second witness</p> <p>19 statement an Excel spreadsheet in which you said, or</p> <p>20 remembered, that you had been told by another DCO by the</p> <p>21 name of Precious --</p> <p>22 <b>A. Yes, sir.</b></p> <p>23 Q. -- that it was something to do with a plate, that he</p> <p>24 didn't want to wash it up, according to what you had</p> <p>25 been told by her and perhaps another DCO by the name of</p> <p style="text-align: center;">Page 2</p>	<p>1 As a matter of interest, what would be the point in</p> <p>2 locking down the wing when somebody was on the netting?</p> <p>3 <b>A. Sir, netting would be -- jumping on the netting is kind</b></p> <p>4 <b>of a -- or could be seen to be a form of protest. They</b></p> <p>5 <b>wouldn't want any sort of copycat behaviour.</b></p> <p>6 Q. So that was it?</p> <p>7 <b>A. I imagine so. I mean, yes. It might kind of whip up</b></p> <p>8 <b>sort of problems on the wing.</b></p> <p>9 Q. You mean it could escalate?</p> <p>10 <b>A. Yes, sir.</b></p> <p>11 Q. Let's look at another transcript, please, &lt;TRN0000005&gt;.</p> <p>12 Chair, it's the next flag for you, 29. There we have --</p> <p>13 I think we have looked at this before:</p> <p>14 "What is the best way to deal with someone like</p> <p>15 this?"</p> <p>16 And Clayton Fraser says:</p> <p>17 "What Yan did."</p> <p>18 Then, on the right-hand side at the top, you say:</p> <p>19 "... what if he jumps."</p> <p>20 And Steve Dix says:</p> <p>21 "Oh well, it's his own choice innit."</p> <p>22 Was that the sort of attitude that was customary?</p> <p>23 <b>A. Unfortunately, sir, yes.</b></p> <p>24 Q. Then if we can go over to page 7, please -- actually,</p> <p>25 let's just go back to page 6 momentarily, please.</p> <p style="text-align: center;">Page 4</p>

<p>1 At line 25, you see Steve Dix says:</p> <p>2 "Can we get ACDT ...?"</p> <p>3 What was he saying, do you know?</p> <p>4 <b>A. He's probably referring to his ACDT orange document.</b></p> <p>5 <b>Maybe he wanted to add an observation or something into</b></p> <p>6 <b>the ACDT form.</b></p> <p>7 Q. In relation to D1527?</p> <p>8 <b>A. Yes, sir.</b></p> <p>9 Q. Then, on the right-hand column, at line 86, Steve Dix</p> <p>10 says:</p> <p>11 "Have you done the count on this?"</p> <p>12 Any idea what that's about?</p> <p>13 <b>A. I could be wrong, but he's probably -- because they have</b></p> <p>14 <b>locked the wing down, maybe they were also counting --</b></p> <p>15 <b>doing a sort of roll count on the wing at the same time.</b></p> <p>16 Q. Thank you. Then to the next page, 7 --</p> <p>17 <b>A. It may be that this occurred -- I can't remember the</b></p> <p>18 <b>exact time, sir, but it may be that this occurred at</b></p> <p>19 <b>bang-up time, so -- but I can't quite remember. That</b></p> <p>20 <b>might explain it.</b></p> <p>21 Q. Then on page 7, at line 16, you ask again to somebody</p> <p>22 else, "Do you know what's going on?" Was this all part</p> <p>23 of trying to discover what was going on from various</p> <p>24 members of staff?</p> <p>25 <b>A. Yes, I genuinely didn't know really why he was on the</b></p> <p style="text-align: center;">Page 5</p>	<p>1 <b>a DCM.</b></p> <p>2 Q. Clayton Fraser, clearly?</p> <p>3 <b>A. Yes, sir. I think Ryan Bromley, DCO Bromley turns up at</b></p> <p>4 <b>some point.</b></p> <p>5 Q. You mention a Ben and a Mark as well in your Excel</p> <p>6 spreadsheets, I think. Who were they?</p> <p>7 <b>A. DCM -- I think he was acting up as a DCM, called Ben,</b></p> <p>8 <b>was present also. Mark -- I can't actually remember</b></p> <p>9 <b>Mark being there, but I remember looking at the footage</b></p> <p>10 <b>that he was there -- I noticed when looking at the</b></p> <p>11 <b>footage that he was there. Yes, those are the people</b></p> <p>12 <b>I can remember, sir.</b></p> <p>13 Q. When we view the footage, the whole thing looks a bit</p> <p>14 chaotic.</p> <p>15 <b>A. Yes, sir.</b></p> <p>16 Q. You have got one detainee in particular starting to</p> <p>17 sing, "I believe I can fly"?</p> <p>18 <b>A. Yes, sir.</b></p> <p>19 Q. Which perhaps has certain connotations to what he thinks</p> <p>20 D1527 wants to do?</p> <p>21 <b>A. Yes.</b></p> <p>22 Q. Who was in control of the situation? Who should have</p> <p>23 been in control of the situation?</p> <p>24 <b>A. Well, staff should have been in control, a DCM should</b></p> <p>25 <b>have been sort of giving some orders to staff so staff</b></p> <p style="text-align: center;">Page 7</p>
<p>1 <b>netting or what was happening. A couple of people</b></p> <p>2 <b>obviously said it was to do with a plate, but --</b></p> <p>3 Q. And somebody identified as staffer 16, "... not happy".</p> <p>4 Staffer 15:</p> <p>5 "If he didn't have to do the washing up, he didn't</p> <p>6 have to go that far, did he?"</p> <p>7 At the bottom, Sunil:</p> <p>8 "He wanted a clean plate, didn't want to wash the</p> <p>9 plate that he had."</p> <p>10 And on the right-hand column at line 72, staffer 15:</p> <p>11 "Had to wash his own plate. I was very worried,</p> <p>12 actually ..."</p> <p>13 Sunil says -- or makes some comment, perhaps</p> <p>14 relevant:</p> <p>15 "Maybe they do it on purpose ..."</p> <p>16 So that's what it all seemed to have been about.</p> <p>17 Can you remember offhand who was present? If needs be,</p> <p>18 we can look at your spreadsheet. But Steve Dix was</p> <p>19 clearly there?</p> <p>20 <b>A. Yes, sir.</b></p> <p>21 Q. Apart from you, somebody called Sunil, Precious at one</p> <p>22 point.</p> <p>23 <b>A. Yes, sir.</b></p> <p>24 Q. Who else was?</p> <p>25 <b>A. I believe Shane Farrell was there at some point, he's</b></p> <p style="text-align: center;">Page 6</p>	<p>1 <b>kind of knew what to do. I mean, orders were given at</b></p> <p>2 <b>times, but there was conflicting orders. Sometimes they</b></p> <p>3 <b>were saying, "Lock down the wing"; others were</b></p> <p>4 <b>suggesting we don't do that. I mean, no-one really knew</b></p> <p>5 <b>what they were doing. I was just stood around trying to</b></p> <p>6 <b>position myself in a position between the detainee and</b></p> <p>7 <b>the area on which he could jump to.</b></p> <p>8 Q. Just so we understand, was it feasible that somebody</p> <p>9 could jump from the netting and do themselves serious</p> <p>10 harm and maybe kill themselves?</p> <p>11 <b>A. Certainly serious harm, sir. There's a small gap --</b></p> <p>12 <b>you'd have to jump kind of off the netting and through</b></p> <p>13 <b>the -- down the stairwell. So I stood between the gap,</b></p> <p>14 <b>hoping it would discourage him from jumping.</b></p> <p>15 Q. Let's move away from that incident, please, and then go</p> <p>16 to another, which we saw before. It is one of the key</p> <p>17 incidents with another detained man, ciphered as D687.</p> <p>18 You will remember, with the ligature around his neck, on</p> <p>19 13 May, in a lavatory.</p> <p>20 Now, I don't think you deal with it in any witness</p> <p>21 statement. You do deal with it, because you were asked</p> <p>22 to deal with it, in your -- that Excel spreadsheet in</p> <p>23 terms of context and who was there. You can have access</p> <p>24 to it, but I will ask you from your own memory if you</p> <p>25 are able to recollect really what the narrative is</p> <p style="text-align: center;">Page 8</p>

1 before -- we will look at some of it, we are not going  
 2 to look at all of it again, due to time constraints --  
 3 **A. D687, sir?**  
 4 Q. Say again?  
 5 **A. Is this D687, sir?**  
 6 Q. Yes.  
 7 **A. I remember the restraint, yes.**  
 8 Q. If you can help us, what was going on -- where was he,  
 9 first of all, in the centre? Where was he due to go?  
 10 And then your recollection of the events?  
 11 **A. The detained man had been in Brook House for a long**  
 12 **time, a very long time. I mean, I think he was in there**  
 13 **longer than I had been working there, and by this point**  
 14 **it was around two years. He was certainly -- yeah,**  
 15 **I mean, he was in there for a long time. And he was to**  
 16 **be -- my understanding is, he was to be not released,**  
 17 **but transferred to another detention centre, I can't**  
 18 **remember which one.**  
 19 Q. It was the Verne, wasn't it?  
 20 **A. Was it? Yes. On that shift -- I can't remember what**  
 21 **shift I was working, but I was sort of walking through**  
 22 **the discharge area of detainee reception and**  
 23 **DCM Chris Donnelly kind of gave me the eye as if to say,**  
 24 **"We're going to need you in here", and so I entered the**  
 25 **area in which he was, which was the detainee discharge**

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1 **waiting room. Off that waiting room is a toilet area.**  
 2 Q. A particular toilet. Was that a disabled toilet, so it  
 3 was slightly larger?  
 4 **A. Yes, it was certainly to the size of a disabled toilet.**  
 5 Q. To remind us, Mr Tulley, detainee reception, is that the  
 6 first big building, somewhere in there?  
 7 **A. It's not, but it's at the front -- it's at the front of**  
 8 **the second main building.**  
 9 Q. Of the residential building?  
 10 **A. Yes, sir, but it is not accessible to detainees unless**  
 11 **they are escorted there.**  
 12 Q. I see. Yes, so --  
 13 **A. So --**  
 14 Q. Carry on.  
 15 **A. -- I entered the toilet and D1527 --**  
 16 Q. 687?  
 17 **A. Sorry, sir, yes. I'm just getting used to this. D687**  
 18 **is -- let me just put a circle around that.**  
 19 **He's got a ligature tied around his neck, and that**  
 20 **is tied -- the ligature is also tied to a handle of some**  
 21 **sort.**  
 22 Q. The handrail fixed to the wall?  
 23 **A. The handrail fixed to the wall, yes, sir, next to the**  
 24 **toilet. D687 is either kind of sitting on the toilet or**  
 25 **kind of up against the wall with the ligature around his**

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1 **neck tied to the handrail.**  
 2 Q. Threatening to --  
 3 **A. Threatening to harm himself, sir.**  
 4 Q. We have seen the footage, we will see some of it again,  
 5 and I will go to aspects of the transcripts, but he was  
 6 making clear that he was prepared to kill himself?  
 7 **A. Yes, sir.**  
 8 Q. He'd had enough?  
 9 **A. He'd been detained for a very long time, and there**  
 10 **didn't seem to be any real prospect of removal or**  
 11 **deportation, and he's told he's being discharged but not**  
 12 **to be released, but to be transferred somewhere else.**  
 13 Q. And the Verne --  
 14 **A. I just think he snapped.**  
 15 Q. Where is the Verne?  
 16 **A. A long way away. I don't know where, though, sir.**  
 17 Q. Not anywhere near Gatwick?  
 18 **A. No, sir.**  
 19 Q. Was it on the coast somewhere?  
 20 **A. May have been, sir. My knowledge of other detention**  
 21 **centres is limited.**  
 22 Q. How did the event end, from your recollection?  
 23 **A. He was expressing how upset he was about, you know, his**  
 24 **situation and that he was being transferred. Some time**  
 25 **passed and he was clearly upset. I mean, he wasn't**

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1 **threatening staff. He wasn't -- he had a ligature**  
 2 **around his neck, so it was a tough spot to be in for**  
 3 **staff members, because, you know, when you're faced with**  
 4 **that, your concern is for the safety of the detainee.**  
 5 **I mean, you don't want to -- you don't want there to be**  
 6 **a fatality.**  
 7 **Anyway, my recollection of what happened was, after**  
 8 **some time passed, a member of the SMT, Dan Naughton,**  
 9 **I think is his name. I may have pronounced the surname**  
 10 **incorrectly.**  
 11 Q. It's Haughton, I think.  
 12 **A. Haughton, is it? He soon arrived. So it was me, DCM**  
 13 **Chris Donnelly, Dan Haughton and I think another DCO**  
 14 **called Jonny Martin, a Northern Irish guy. I mean, D687**  
 15 **was sort of talking to us for around sort of -- I'd say**  
 16 **around 8 to 10 minutes, perhaps, saying why he was**  
 17 **upset, that he had had enough, that he would leave**  
 18 **Brook House in a body bag. DCM Chris Donnelly told him**  
 19 **that no-one would be dying here today. And he had**  
 20 **a roll-up in his hand and Dan Loughton [sic] -- this is**  
 21 **a few minutes later. Dan Loughton [sic] then --**  
 22 Q. Haughton.  
 23 **A. Haughton, sorry. Dan Haughton then said, "Do you need**  
 24 **a lighter?", offers him his lighter. He accepts the**  
 25 **offer of the lighter but, when he realises the lighter**

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3 (Pages 9 to 12)

1 is not going to be passed to him, but that Dan -- I'll  
 2 just call him "Dan" -- is going to light it for him,  
 3 hold it to his face and light it that way, then he kind  
 4 of -- I think he tells him to get back or something.  
 5 But Dan then engages in a restraint and initiates  
 6 the use of force.  
 7 Q. What about the ligature? How did that come off? Did he  
 8 get a fish knife from someone?  
 9 A. He must have done, sir.  
 10 Q. Was that the first thing to come off --  
 11 A. Yes, sir.  
 12 Q. -- before the restraint?  
 13 A. Well, it happens kind of -- it's all part of the same --  
 14 they go together, sir. So the ligature is cut and  
 15 pulled away whilst the restraint is happening, and then  
 16 the detainee was taken to the ground. I took control of  
 17 his legs.  
 18 Q. How did you take control of his legs?  
 19 A. I wrapped my arms around his legs.  
 20 Q. On the ground?  
 21 A. Whilst he was on the floor, yes.  
 22 Q. Like a sort of rugby tackle?  
 23 A. Well, I didn't rugby tackle him, sir, but when he was  
 24 taken to the ground --  
 25 Q. That's what I mean. I'm trying to describe wrapping

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1 your arms around his legs?  
 2 A. Yes (indicating).  
 3 Q. Was he facedown at that point?  
 4 A. It's hard to remember, sir.  
 5 Q. Handcuffed?  
 6 A. He ended up being handcuffed, sir, when he was brought  
 7 to his feet.  
 8 Q. We see part of that, and then he's sat down in a room.  
 9 A. Yes.  
 10 Q. Where he was sat down, was that far away from where he'd  
 11 been threatening to take his life?  
 12 A. 10 yards, sir.  
 13 Q. Before we play the footage, let me ask you a little  
 14 about your knowledge of him. I wonder if we can put up  
 15 on screen something you said in a video diary later that  
 16 same day, <TRN0000047> at page 15.  
 17 Right at the bottom, do you see:  
 18 "I've seen D687 every single day that I've gone into  
 19 work for the last two years. I've said before that  
 20 I don't know why he's being detained. He should have  
 21 been deported. He's committed all manner of crimes.  
 22 I don't know what they're doing sending him to another  
 23 detention centre. I really don't understand it. They  
 24 should be facilitating his removal, not transferring him  
 25 to another centre. He's just fed up with the lack of

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1 progress in his case. He's just had enough. His  
 2 health, his mental health, has completely deteriorated."  
 3 Pausing there, over the time you knew him, do you  
 4 think his health deteriorated noticeably the longer the  
 5 detention went on?  
 6 A. Yes, sir.  
 7 Q. In what way?  
 8 A. In that he appeared down. It's obviously hard to assess  
 9 someone's mental health when you're not an expert, but  
 10 he appeared -- he appeared increasingly distressed,  
 11 depressed with his prolonged and indefinite detention.  
 12 Q. Do you remember how the other day -- I'm not going to  
 13 try to identify when it was, because you have been in  
 14 the witness box so long -- you said it was obvious  
 15 sometimes, when people came in, they were fairly normal,  
 16 took care of themselves?  
 17 A. Yes, sir.  
 18 Q. And then you could notice a deterioration, they didn't  
 19 take care of themselves in the way they had and their  
 20 effect was quite different to how they were when they  
 21 first came?  
 22 A. Yes, sir.  
 23 Q. Does that describe him?  
 24 A. Yes, sir, and I understand he had served some time in  
 25 prison, and yet Brook House was taking its toll. So he

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1 was accustomed to a custodial setting, but -- as far as  
 2 I was -- as far as I was aware, but that didn't do much  
 3 to help him, sir.  
 4 Q. Reading on:  
 5 "He said just a couple of weeks ago that someone is  
 6 going to be taken out in a body bag."  
 7 Just pausing there, do you remember you said during  
 8 the course of the incident he talked about a body bag.  
 9 Here you say it was a couple of weeks ago. So whether  
 10 he said it during the course of the incident, he  
 11 certainly said it a couple of weeks before?  
 12 A. Yes, sir.  
 13 Q. So it was clearly on his mind?  
 14 A. Yes, sir, and he did say it in the incident as well, on  
 15 two occasions.  
 16 Q. "Today he was quite determined to make sure that was  
 17 him. Obviously that didn't happen but he was promising  
 18 on his way out that this wasn't the end and that he was  
 19 going to make the news. He was going to make  
 20 a statement. He said to me, 'Watch out because I'm  
 21 going to be one of the first people to die in  
 22 a detention centre'. He's quite clear of his intentions  
 23 to kill himself."  
 24 So that's what you said about him on the very day of  
 25 that incident.

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4 (Pages 13 to 16)

<p>1 <b>A. Yes, sir.</b></p> <p>2 Q. If you knew about him and he wasn't making any secret of</p> <p>3 his intentions, presumably you weren't the only one to</p> <p>4 know that he was not only vulnerable, but was</p> <p>5 threatening to kill himself?</p> <p>6 <b>A. Yes, sir.</b></p> <p>7 Q. Is that right?</p> <p>8 <b>A. Correct.</b></p> <p>9 Q. If there were others -- maybe this is a difficult</p> <p>10 question for you to answer, but if there were others, if</p> <p>11 it was something you knew, how high up do you think it</p> <p>12 might have gone within Brook House? DCMs, SMT? Would</p> <p>13 they have known about his intentions? Is it likely?</p> <p>14 <b>A. They should have done, sir.</b></p> <p>15 Q. Can you say whether they did, or any of them did?</p> <p>16 I mean, did people talk about 687 and say, "This man is</p> <p>17 going to kill himself sooner or later"?</p> <p>18 <b>A. They didn't say those words exactly, sir, but they would</b></p> <p>19 <b>talk about him in particular because he had been there</b></p> <p>20 <b>for so long. I mean, he was one of the longest serving,</b></p> <p>21 <b>as far as I remember, and we were all aware that the</b></p> <p>22 <b>longer people were in Brook House, the more likely they</b></p> <p>23 <b>were to hurt themselves.</b></p> <p>24 Q. Well, he certainly made no secret of it.</p> <p>25 <b>A. Indeed, sir.</b></p> <p style="text-align: right;">Page 17</p>	<p>1 need to ask yourself, 'Is he going to be --'. You just</p> <p>2 have to ask yourself 'If and when he is released,</p> <p>3 because he can't be deported back to Somalia, what sort</p> <p>4 of person are we going to have walking the streets? Is</p> <p>5 he going to be mentally stable, is he going to be in</p> <p>6 a condition where he can work and pay taxes? Is he</p> <p>7 going to go back to a life of crime? Is he just going</p> <p>8 to be on the streets, homeless?' it's difficult to say,</p> <p>9 but there's such a big possibility that he won't be</p> <p>10 deported and that he will be released. We're just</p> <p>11 letting people waste away and rot and nothing</p> <p>12 constructive is being done with these people while</p> <p>13 they're in detention. You might think that's fine if</p> <p>14 they get deported, because who cares? We can wipe our</p> <p>15 hands clean of them and just turn our backs. But when</p> <p>16 they're released back into society, it's you and me</p> <p>17 that's going to have to pay the price because we've got</p> <p>18 one of the highest re-offending rates in Europe. It's</p> <p>19 because people in the custodial setting aren't getting</p> <p>20 the rehabilitation they need to serve the communities</p> <p>21 and reintegrate back into society when they're released.</p> <p>22 That's happening with D687. If he doesn't kill himself</p> <p>23 and he doesn't go back to Somalia, that's looking like</p> <p>24 it's going to happen when he comes back to the streets."</p> <p>25 So, really, you knew him pretty well?</p> <p style="text-align: right;">Page 19</p>
<p>1 Q. Then if we look, please, at another transcript briefly,</p> <p>2 it's &lt;TRN0000048&gt;. This is a video diary the next day,</p> <p>3 also at page 15, please. You are asked the question</p> <p>4 there -- you are asked a general question about the</p> <p>5 centre and you say:</p> <p>6 "This is a tough one really."</p> <p>7 You go on to talk about 687, a Somali detainee:</p> <p>8 "Deporting people to Somalia is extremely, extremely</p> <p>9 difficult. There was a time where Somalia would only</p> <p>10 accept detainees if they were presented by armed guards.</p> <p>11 That is just how difficult, how hard it is, to deport</p> <p>12 someone to Somalia. 687 has committed quite serious</p> <p>13 offences. He's been in the UK since he was six. He's</p> <p>14 been in detention for years now. Are the Home Office</p> <p>15 ever going to deport him? Is it ever feasible that they</p> <p>16 will be able to send him back to Somalia? A lot of</p> <p>17 the longest-serving detainees in Brook House seem to be</p> <p>18 Somali. That's been the case ever since I've started</p> <p>19 working there. It's not a coincidence. It's because</p> <p>20 the Home Office can't deport these people back to</p> <p>21 Somalia. Quite often they are released. D687 may be</p> <p>22 one of them."</p> <p>23 Then, against that background, you say:</p> <p>24 "Detention has ruined him, basically. He's just at</p> <p>25 breaking point now, where he wants to die. You just</p> <p style="text-align: right;">Page 18</p>	<p>1 <b>A. Yes, sir.</b></p> <p>2 Q. And --</p> <p>3 <b>A. I should say that my knowledge of his criminal</b></p> <p>4 <b>background was only what was communicated to me by</b></p> <p>5 <b>staff. So perhaps I should have made this clear in the</b></p> <p>6 <b>video diary, and maybe the reason it wasn't broadcast</b></p> <p>7 <b>was because I didn't make that clear, but it's just --</b></p> <p>8 <b>I think that's relevant, you know, because, you know,</b></p> <p>9 <b>here we're suggesting his offences were serious, they</b></p> <p>10 <b>may have been, but I can't speak with much certainty</b></p> <p>11 <b>about that.</b></p> <p>12 Q. What you were saying there was, the conditions of</p> <p>13 detention at Brook House, with particular focus on him,</p> <p>14 because that's who you were talking about in these</p> <p>15 passages we have been looking at, not only affected his</p> <p>16 mental health, but also made him less fit to emerge into</p> <p>17 society more generally when, inevitably, he would?</p> <p>18 <b>A. Exactly, sir.</b></p> <p>19 Q. Is how you felt about it?</p> <p>20 <b>A. Certainly. I mean, most people that were in Brook House</b></p> <p>21 <b>were released. We know that. So what good is detention</b></p> <p>22 <b>doing to them or society? Very little.</b></p> <p>23 Q. With that in mind, let's, please, look at a section of</p> <p>24 the relevant footage for 13 May. Chair, during the</p> <p>25 course of the opening statement, I played it all, but</p> <p style="text-align: right;">Page 20</p>

<p>1 I'm not going to do that now. What I'm going to ask is</p> <p>2 that we start a little under halfway through the main</p> <p>3 clip, just to remind us. It's KENCOV1016. It's clip</p> <p>4 V2017051300011. I'd like to start at 13 minutes,</p> <p>5 please, if we can cue it up.</p> <p>6 (Video played)</p> <p>7 MR ALTMAN: I'm going to stop it there, thank you. The</p> <p>8 whole point of just playing that part of the clip was</p> <p>9 just to see again the use of force part of it.</p> <p>10 If we can go to the transcript, though, please,</p> <p>11 &lt;TRN0000007&gt;, chair, flag B/33 for you, at page 1. You</p> <p>12 will remember this, and right at the top:</p> <p>13 "You lot going to put me in a body bag."</p> <p>14 So it's the very first thing, and you remember the</p> <p>15 words "body bag" during the course of that particular</p> <p>16 incident. At the top of the second page, at line 4,</p> <p>17 somebody on the transcript identified as "Officer 4":</p> <p>18 "Then we'll wait for a minute until you pass out."</p> <p>19 Now, I haven't played that just now, although I did</p> <p>20 play it during the course of the opening statement, in</p> <p>21 other words, all of this. Can you confirm, Mr Tulley,</p> <p>22 without having to go to it, that the other document that</p> <p>23 you exhibited with your second statement to the inquiry</p> <p>24 set out a number of corrections to transcripts or</p> <p>25 subtitling that you had seen in preparing for your</p> <p style="text-align: center;">Page 21</p>	<p>1 "I've been moved away from my community ...</p> <p>2 "Do you know how long I haven't seen my mum or my</p> <p>3 brother ..."</p> <p>4 And we heard all of that, as I say, for ourselves.</p> <p>5 The comment that he makes, Chris Donnelly, on page 2.</p> <p>6 Can we just go back to page 2 and remind ourselves:</p> <p>7 "Then we'll wait for a minute until you pass out."</p> <p>8 Can I ask you about another incident which takes</p> <p>9 place on 4 July. I've yet to come to that, but I just</p> <p>10 want to put it in your mind. It involves another</p> <p>11 detained man, ciphered as D865, where officers took two</p> <p>12 minutes to remove a ligature from his neck?</p> <p>13 <b>A. Oh, yes, I remember it, sir.</b></p> <p>14 Q. Let's just have a look at what you had to say in your</p> <p>15 witness statement to the police, &lt;SXP000120&gt; at page 8,</p> <p>16 please. If we expand the bottom half, please, from</p> <p>17 4 July:</p> <p>18 "On 4th July 2017 I was working my normal 13-hour</p> <p>19 shift. At some point during the afternoon a first</p> <p>20 response was called to a self-harming incident.</p> <p>21 I arrived after about 30 seconds from when the first</p> <p>22 response was called. As I arrived, I could see three or</p> <p>23 four other DCOs stood outside the detainee's room.</p> <p>24 I knew the detainee as D865. The other DCOs were just</p> <p>25 looking at him. I could see that he had something</p> <p style="text-align: center;">Page 23</p>
<p>1 statement. "Officer 4" is Chris Donnelly in this</p> <p>2 instance. Do you remember?</p> <p>3 <b>A. Yes, sir. DCM, sir.</b></p> <p>4 Q. I will come back to that in a second, "Then we'll wait</p> <p>5 for a minute until you pass out". It was very clear</p> <p>6 that, perhaps without going through the whole</p> <p>7 transcript, having, as I say, seen the footage before</p> <p>8 and having seen that small clip, D687 was saying exactly</p> <p>9 the sort of things that you were telling us were in his</p> <p>10 mind?</p> <p>11 <b>A. Yes, sir.</b></p> <p>12 Q. At page 11, perhaps, in particular, for the moment,</p> <p>13 let's just remind ourselves what he had to say at</p> <p>14 line 70:</p> <p>15 "All of this time, for my fucking mental health --</p> <p>16 just deteriorating it?</p> <p>17 "I was normal when I come ...</p> <p>18 "But now I've fucking gone ...</p> <p>19 "I don't understand. No-one wants to fucking</p> <p>20 believe me."</p> <p>21 On the next page, page 12:</p> <p>22 "I'm losing the will to carry on -- no-one wants to</p> <p>23 fucking hear me.</p> <p>24 "I've been put in here, my identity's been taken</p> <p>25 away.</p> <p style="text-align: center;">Page 22</p>	<p>1 similar to a thick lace tied around his neck. It was</p> <p>2 obvious that there was something around his neck and</p> <p>3 I could not understand why no-one else could see it.</p> <p>4 A DCM present at the time was Chris Donnelly."</p> <p>5 So it is the same man --</p> <p>6 <b>A. Yes, sir.</b></p> <p>7 Q. -- who makes the comment on 13 May to which I have drawn</p> <p>8 attention:</p> <p>9 "He was stood directly in front of me and had direct</p> <p>10 sight of D865. Donnelly said, 'There is nothing around</p> <p>11 his neck'. I could not really understand why no-one</p> <p>12 could see the ligature around his neck. I was still</p> <p>13 stood outside the room and yet I could see it clearly.</p> <p>14 I said, 'No, what's that tied around his neck'. At this</p> <p>15 point Chris Donnelly took his fish knife from his belt</p> <p>16 and cut the ligature off. I was stood about 2 metres</p> <p>17 away and could clearly see the ligature. D865 was lying</p> <p>18 on his front, head to the side, was motionless on the</p> <p>19 floor and appeared unconscious. I could see that the</p> <p>20 thick lace was tied to a TV bracket which would have</p> <p>21 been fixed to the wall around 7 feet up and would have</p> <p>22 held the TV which was also on the floor with the</p> <p>23 bracket. He tried to use the bracket to hang himself.</p> <p>24 Chris Donnelly demonstrated hatred towards the</p> <p>25 detainees. I am sure he was intent on letting the</p> <p style="text-align: center;">Page 24</p>

6 (Pages 21 to 24)

<p>1 detainee suffer. I would say that it was at least</p> <p>2 2 minutes between the first response being called and</p> <p>3 Chris Donnelly removing the ligature from the detainee's</p> <p>4 neck. The nurse came in soon after to check him over.</p> <p>5 At this point, D865 was sat on the bed. The nurse tried</p> <p>6 to establish why he appeared down, and ..."</p> <p>7 You say "Connolly", do you mean "Donnelly"?</p> <p>8 <b>A. Yes, sir, I do.</b></p> <p>9 Q. "... and [Donnelly] just said, 'Were you trying to kill</p> <p>10 yourself?'"</p> <p>11 Perhaps the answer to that was pretty obvious. But</p> <p>12 here we have two instances which have been pointed out</p> <p>13 on behalf of some of the detained men, solicitors have</p> <p>14 pointed this out, and asked us to ask you the questions.</p> <p>15 You've got Donnelly saying on 13 May, "We'll wait for</p> <p>16 a minute until you pass out" and then we have the</p> <p>17 instance, which I have just drawn to your attention, of</p> <p>18 4 July, when you felt two minutes was allowed to pass</p> <p>19 before Chris Donnelly, the same man, had done anything</p> <p>20 about it. The question for you is, was that activity,</p> <p>21 in other words, "We'll let you pass out. We'll let two</p> <p>22 minutes go past before we do anything about it", was</p> <p>23 that part of a widespread practice at Brook House, that</p> <p>24 officers weren't quick to act in those circumstances or</p> <p>25 would say to a detained man, as was said to 687, "We'll</p> <p style="text-align: center;">Page 25</p>	<p>1 <b>A. I may have done, but if I did hear about it, I've</b></p> <p>2 <b>forgotten about it since.</b></p> <p>3 Q. Do you know offhand whether there was an investigation</p> <p>4 that inevitably followed a self-harm incident such as</p> <p>5 the one you've been describing?</p> <p>6 <b>A. Not to my recollection, sir.</b></p> <p>7 Q. The details on the form are:</p> <p>8 "Whilst waiting in the discharge waiting room, D687</p> <p>9 decided he did not wish to transfer to IRC Verne and</p> <p>10 whilst sitting on the toilet tied his T-shirt loosely</p> <p>11 around his neck and to the disabled grab rail next to</p> <p>12 the toilet and refused to move. He was offered a light</p> <p>13 for his cigarette by the duty director Dan Haughton and</p> <p>14 as he leaned forward to light the cigarette the duty</p> <p>15 director grabbed the knot on the grab rail. D687 then</p> <p>16 dropped to the floor and the ligature came loose ..."</p> <p>17 Is what is said here, rather than it being removed</p> <p>18 by a fish knife:</p> <p>19 "... and it fell off. Minimal force was used to</p> <p>20 present D687 to the awaiting Tascor escorts."</p> <p>21 There is a description of injuries, such as they</p> <p>22 are, whether healthcare was informed, resuscitation:</p> <p>23 "Was a cutdown knife used? Not required, ligature</p> <p>24 came undone upon movement."</p> <p>25 The suggestion appears to be that the ligature</p> <p style="text-align: center;">Page 27</p>
<p>1 let you pass out first", or was this just something</p> <p>2 Chris Donnelly said and did?</p> <p>3 <b>A. I wouldn't say this was widespread. I mean, most staff</b></p> <p>4 <b>at Brook House when faced with a detainee with</b></p> <p>5 <b>a ligature around his neck who has either fallen to the</b></p> <p>6 <b>ground or was swinging from a banister or bracket, or</b></p> <p>7 <b>whatever it was, would make every effort to preserve</b></p> <p>8 <b>life. This was just a particularly sickening incident</b></p> <p>9 <b>in which DCM Connolly [sic] appeared to be intent on</b></p> <p>10 <b>allowing the detainee to suffer.</b></p> <p>11 <b>I had to act as envisaged in the BBC protocol for</b></p> <p>12 <b>undercover journalists and me saying, "No, what's that</b></p> <p>13 <b>around his neck?" was a form of intervention, because</b></p> <p>14 <b>I had to try and prevent what I saw as imminent harm to</b></p> <p>15 <b>a detainee.</b></p> <p>16 Q. I'm going to ask you to look at another document in</p> <p>17 relation to this incident. It's &lt;CJS001084&gt;, tab 40 for</p> <p>18 you, chair. Can you go to the first page, first of all.</p> <p>19 We can see that this calls itself a "Gatwick IRC</p> <p>20 Self-harm Incident Investigation". It's in relation to</p> <p>21 D687. First of all, do you recognise this kind of</p> <p>22 document? Do you know what a self-harm incident</p> <p>23 investigation is?</p> <p>24 <b>A. No, sir, I'm sorry.</b></p> <p>25 Q. Had you'd ever heard of this kind of thing before?</p> <p style="text-align: center;">Page 26</p>	<p>1 didn't have to be removed by a knife. You thought it</p> <p>2 was, by the sound of it, but --</p> <p>3 <b>A. I thought it was. I assumed it was because that was the</b></p> <p>4 <b>common practice for removing ligatures.</b></p> <p>5 Q. Yes, but it sounds like perhaps it hadn't been knotted</p> <p>6 properly, so it came loose in the restraint?</p> <p>7 <b>A. If this account is correct, sir, yes.</b></p> <p>8 Q. If we go to page 5 of this same document, please, we</p> <p>9 then have a narrative report by Dan Haughton, and I just</p> <p>10 want to take you through this to see if you agree with</p> <p>11 what he had to say. He talks about his employment at</p> <p>12 Brook House and then he deals with Saturday, 13 May:</p> <p>13 "... I was the DD [duty director] at Gatwick ...</p> <p>14 second day on ... out of three ... on call 24 hours</p> <p>15 a day. I received a shift handover [from] ...</p> <p>16 DCM Nick London (Oscar 1) and Steve Dix (Oscar 2) who</p> <p>17 had completed the night shift."</p> <p>18 So he talks about that. Then perhaps if we can drop</p> <p>19 down two paragraphs:</p> <p>20 "There were concerns that D687 would not comply with</p> <p>21 his transfer ..."</p> <p>22 Which was on the agenda, as it were, for that day:</p> <p>23 "... as he had previously refused so at around 12.20</p> <p>24 the unlock of Arun was held to ensure that D687 could be</p> <p>25 collected from the wing and presented to Tascor officers</p> <p style="text-align: center;">Page 28</p>

7 (Pages 25 to 28)

<p>1 in discharge. The wing would normally unlock at 12.30</p> <p>2 for lunch. D687 packed his belongings and compliantly</p> <p>3 walked to the discharge waiting room to await collection</p> <p>4 and the wing returned to normal regime.</p> <p>5 "At around 13.45 I was in the security office and</p> <p>6 I received a telephone call from DCM Chris Donnelly who</p> <p>7 informed me that D687 was now refusing to leave the</p> <p>8 centre and ... had tied something to the disabled</p> <p>9 handrail in the toilet of the waiting room and around</p> <p>10 his neck.</p> <p>11 "I made my way to the waiting room which is down</p> <p>12 three flights of stairs and through four secure doors.</p> <p>13 When I arrived I did not enter the toilet area but stood</p> <p>14 by the door to assess the situation for myself. I saw</p> <p>15 that D687 was in the toilet area which is around 10 feet</p> <p>16 long and 5 feet wide, he was sitting on the toilet bowl</p> <p>17 which is at the back of the room around 3 feet away from</p> <p>18 me with what I now know to be a white T-shirt loosely</p> <p>19 around his neck with part of it tied to the handrail.</p> <p>20 The handrail used by people with a restricted mobility</p> <p>21 to use the toilet was D-shaped and at its lowest point</p> <p>22 was around two feet from the floor. Should D687 have</p> <p>23 dropped the knot would have been free to move to the</p> <p>24 lowest part of the handrail and would not have applied</p> <p>25 pressure. DCOs Jonny Martin and Callum Tulley were in</p> <p style="text-align: center;">Page 29</p>	<p>1 to the floor and the knot attached to the handrail came</p> <p>2 away. DCOs Tulley and Martin took control of D687's</p> <p>3 arms."</p> <p>4 You say legs:</p> <p>5 "I then took the opportunity to remove the T-shirt</p> <p>6 from around D687's neck which came away without the need</p> <p>7 for the cutdown tool. Handcuffs were quickly applied</p> <p>8 ... by DCM Donnelly. The Tascor officers were informed</p> <p>9 that D687 would be presented in handcuffs which they</p> <p>10 agreed to. D687 was then brought to his feet and walked</p> <p>11 through to the Tascor officers. Throughout the short</p> <p>12 use of force, D687 kept saying he would not go and that</p> <p>13 he would cause trouble."</p> <p>14 Now, in terms of the physical activity which he</p> <p>15 describes, do you have any disagreement with it -- the</p> <p>16 nature of -- apart from you taking the legs rather than</p> <p>17 the arms. Is it reasonably accurate?</p> <p>18 <b>A. Reasonably, besides the arms, yes.</b></p> <p>19 Q. In terms of the reasons why D687 was doing what he was</p> <p>20 doing, do you find it reasonably accurate? Is there</p> <p>21 any -- by way of example, let's just drive home what I'm</p> <p>22 driving at. Is there any suggestion that what he was</p> <p>23 doing was not merely to avoid his transfer, but because</p> <p>24 he was mentally unwell?</p> <p>25 <b>A. No, sir.</b></p> <p style="text-align: center;">Page 31</p>
<p>1 the room with 687 trying to talk to him and were</p> <p>2 standing against the opposite wall. DCO Darren Bulled</p> <p>3 was in the waiting room. DCM Shane Farrell also entered</p> <p>4 and DCM Chris Donnelly was just outside.</p> <p>5 "687 was in an agitated state and was saying that he</p> <p>6 would not go anywhere. D687 made threats to drop from</p> <p>7 the toilet bowl should anyone try and move him. It was</p> <p>8 clear to me that D687 was trying to prevent his transfer</p> <p>9 to the Verne by taking this course of action. The</p> <p>10 conversation between those present and D687 was not</p> <p>11 progressing. The Tascor escorts confirmed that they</p> <p>12 would continue with the transfer if D687 was presented</p> <p>13 under restraint."</p> <p>14 Then he deals with the use of force:</p> <p>15 "I stood to one side of the toilet door out of 687's</p> <p>16 eyesight and asked for DCO Bulled to come over to me.</p> <p>17 I took DCO Bulled's cutdown tool as I did not have one</p> <p>18 in case it was required. I stood back in the doorway</p> <p>19 and tried to engage with D687 who was holding</p> <p>20 a cigarette. I asked if [he] wanted a lighter to have</p> <p>21 a smoke and held out my right arm with a lighter ready</p> <p>22 to light D687's cigarette. D687 said okay so</p> <p>23 I attempted to get a little nearer. I held the lighter</p> <p>24 out and as his attention was on the lighter grabbed the</p> <p>25 knot attached to the handrail. With this, 687 dropped</p> <p style="text-align: center;">Page 30</p>	<p>1 Q. Is there anything here about his intention to take his</p> <p>2 life because he'd simply had enough?</p> <p>3 <b>A. No, sir.</b></p> <p>4 Q. Because the whole focus on this report appears to be</p> <p>5 geared towards he was performing in that way because he</p> <p>6 simply didn't want to be transferred, but no reference</p> <p>7 to vulnerability or mental health issues?</p> <p>8 <b>A. No, sir.</b></p> <p>9 Q. I'd like, please, now to look at the use of force</p> <p>10 report, as we did in relation to the 25 April incident.</p> <p>11 Chair, it's at B/38 for you and for us it's &lt;CJS005652&gt;.</p> <p>12 Here we have another of those documents, we see the log</p> <p>13 number, 120/17 in relation to D687. Date use of force</p> <p>14 used, 13 May. Time use of force commenced, 13:54;</p> <p>15 completed, 13:58. Then we have times others are</p> <p>16 informed, contacted. Reasons for use of force, to</p> <p>17 facilitate transfer/prevent self-harm -- "S/H" -- and</p> <p>18 location, he was being discharged into Tascor custody.</p> <p>19 Go to the next page, please. I'm not going to go</p> <p>20 through every detail of this, but the officer list at</p> <p>21 the bottom: Haughton, Donnelly, Farrell, Martin, Tulley.</p> <p>22 No mention of Bulled, who Mr Haughton refers to, but</p> <p>23 Haughton, Donnelly, Farrell, Martin, Tulley. On the</p> <p>24 next page, page 3, top right, "The circumstances why</p> <p>25 force was used: preventing self-harm" and "Others" is</p> <p style="text-align: center;">Page 32</p>



<p>1 crossed. Typed underneath:</p> <p>2 "Facilitate a transfer to Morton Hall IRC by</p> <p>3 suitable crew."</p> <p>4 First of all, is Morton Hall the same place as the</p> <p>5 Verne?</p> <p>6 <b>A. I'm not actually sure, sir, sorry.</b></p> <p>7 Q. What is "suitable crew"? We have referred to that, but</p> <p>8 we will see a reference to that from time to time. What</p> <p>9 is the "suitable crew"? It's a term of art which we see</p> <p>10 from time to time used in the documents or in reports.</p> <p>11 What does it mean?</p> <p>12 <b>A. It was a crew that was specifically assembled for the</b></p> <p>13 <b>deportation of a specific -- not for the deportation --</b></p> <p>14 <b>well, potentially, but for the transfer, removal or</b></p> <p>15 <b>deportation of a specific detainee based on what they</b></p> <p>16 <b>deemed as sort of a heightened kind of security risk of</b></p> <p>17 <b>some sort.</b></p> <p>18 Q. Was it just a bit of, you know, Brook House banter about</p> <p>19 the nature of the team that were used, or did it</p> <p>20 actually have a proper meaning, "suitable crew"?</p> <p>21 <b>A. No, I think "suitable crew" was used to reference the</b></p> <p>22 <b>Tascor teams.</b></p> <p>23 Q. So it was the Tascor team?</p> <p>24 <b>A. Yes, it's not a Brook House team.</b></p> <p>25 Q. Right.</p> <p style="text-align: center;">Page 33</p>	<p>1 Q. "Type of force used" in the box below, "Verbal reasoning</p> <p>2 used to de-escalate the situation ...? Yes."</p> <p>3 Below that, the kind of techniques used, "Wrist</p> <p>4 flexion/lock" is ticked, "Head support", Detainee -</p> <p>5 prone", "Detainee - seated". What does "Detainee -</p> <p>6 prone" mean rather than supine? They're slight medical</p> <p>7 terms?</p> <p>8 <b>A. I probably should know, but I don't actually know, sir.</b></p> <p>9 Q. They are one way up or the other?</p> <p>10 <b>A. Yeah, but he was lying down.</b></p> <p>11 Q. Probably supine, then, but I might be wrong. Supine is</p> <p>12 up, prone is down, I'm told by the healthcare expert to</p> <p>13 my left.</p> <p>14 <b>A. Don't worry, sir, I also don't know the difference.</b></p> <p>15 Q. Then on page 4, the use of force was authorised by</p> <p>16 Dan Haughton, duty director. Reason: preventing</p> <p>17 self-harm.</p> <p>18 Then on page 8, and I'm not going to go through</p> <p>19 them, because they're all available, we have</p> <p>20 Dan Haughton's report for the purposes of the use of</p> <p>21 force report. Then you, yourself, make a report on</p> <p>22 page 11, if we have a look at that. That's where your</p> <p>23 form begins with your name. We have some pro forma</p> <p>24 information. If we go finally to page 12:</p> <p>25 "My name is Detainee Custody Officer ...</p> <p style="text-align: center;">Page 35</p>
<p>1 <b>A. It's a suitable crew that come from Tascor or</b></p> <p>2 <b>immigration, who -- it could be -- let's say there's</b></p> <p>3 <b>a detainee who's got a violent history. A suitable crew</b></p> <p>4 <b>will be sent for him. So it could be six officers or</b></p> <p>5 <b>six Tascor DCOs who come to take him away, rather than</b></p> <p>6 <b>sort of just a couple of DCOs with a big van full of</b></p> <p>7 <b>detainees. You've got many more officers to one person.</b></p> <p>8 Q. I see. So the reference was to a suitable crew?</p> <p>9 <b>A. Yes, sir. I don't know about the details of this</b></p> <p>10 <b>crew --</b></p> <p>11 Q. No, I'm not going to ask you. It is just a term that</p> <p>12 I have seen more than once and I wanted to know what it</p> <p>13 meant.</p> <p>14 <b>A. I see, yes.</b></p> <p>15 Q. Did you appreciate the Verne is in Portland, Dorset,</p> <p>16 which is a long way away? Did you know that?</p> <p>17 <b>A. I didn't know, no.</b></p> <p>18 Q. And Morton Hall is an entirely different place. It's in</p> <p>19 Lincoln, or Lincolnshire?</p> <p>20 <b>A. Right.</b></p> <p>21 Q. Can you understand how, when he was being transferred to</p> <p>22 the Verne, a report like this suggests it was the</p> <p>23 facilitation of a transfer to an entirely different</p> <p>24 institution?</p> <p>25 <b>A. No idea, sir.</b></p> <p style="text-align: center;">Page 34</p>	<p>1 Callum Tulley ... working ... at Brook House ... since</p> <p>2 15 June 2015.</p> <p>3 "At approximately 1345 while I was walking past</p> <p>4 discharge, DCM Chris Donnelly asked me to accompany him</p> <p>5 into the waiting room. I followed him into the waiting</p> <p>6 room toilet where DCO Jonny Martin and DCO Dan Bulled</p> <p>7 were monitoring detainee D687. D687 ... had a noose</p> <p>8 around his neck which was tied to a handrail. Senior</p> <p>9 Manager Dan Laughton ..."</p> <p>10 Is how you spell it, but it's Haughton:</p> <p>11 "... soon arrived. Dan tried to persuade D687 to</p> <p>12 untie the noose but [he] was not receptive to this. Dan</p> <p>13 then attempted to cut the noose with a fish knife. D687</p> <p>14 tried to prevent Dan from doing this and attempted to</p> <p>15 self-strangulate with the noose. He was restrained so</p> <p>16 that he could be prevented from self-harming and so that</p> <p>17 the noose could be removed safely. He fell to the floor</p> <p>18 immediately after Dan cut the noose from the handrail.</p> <p>19 I took control of D687's legs. I used the minimal and</p> <p>20 necessary amount of force required to control D687's</p> <p>21 legs during the restraint. Once D687 was put in cuffs</p> <p>22 I was able to release control of D687's legs and exit</p> <p>23 the toilet. D687 was then walked to the discharge area</p> <p>24 to be presented to Tascor who were to facilitate his</p> <p>25 transfer. The cuffs were shortly removed before I was</p> <p style="text-align: center;">Page 36</p>

<p>1 excused by DCM Chris Donnelly."</p> <p>2 This is one of those reports, this is one you've</p> <p>3 written, which has that sort of standardised, if you</p> <p>4 like, almost sanitised language you were telling us</p> <p>5 about the other day.</p> <p>6 <b>A. Yes, sir.</b></p> <p>7 Q. Tell me, when you created these reports -- first of all,</p> <p>8 were all the officers involved in the use of force</p> <p>9 expected to complete one?</p> <p>10 <b>A. Yes, sir.</b></p> <p>11 Q. Did you all sit around in a staff room pooling your</p> <p>12 recollection or did you do them individually?</p> <p>13 <b>A. You were meant to go and do them individually, alone,</b></p> <p>14 <b>sir.</b></p> <p>15 Q. Did that happen in practice?</p> <p>16 <b>A. Sometimes, sir.</b></p> <p>17 Q. On other occasions, might you all find yourselves</p> <p>18 sitting around the staff room, saying, "Callum, what do</p> <p>19 you remember of this? I think this happened. What do</p> <p>20 you remember?" Did that ever happen?</p> <p>21 <b>A. Yes, sir. Although I should be clear, I don't think it</b></p> <p>22 <b>happened in this instance.</b></p> <p>23 Q. No, but I'm asking whether on occasions, in your</p> <p>24 experience, that did happen?</p> <p>25 <b>A. Yes, sir. Yes, sir.</b></p> <p style="text-align: right;">Page 37</p>	<p>1 I mean, 687 wasn't an example of that. He was being</p> <p>2 transferred out to another IRC. But was there also, on</p> <p>3 top of everything else, from your experience, a pressure</p> <p>4 that came from management and Home Office to get these</p> <p>5 people deported? Was that felt?</p> <p>6 <b>A. That was certainly felt when there were charter flights,</b></p> <p>7 <b>sir, yes.</b></p> <p>8 Q. Was that another, perhaps, part of the pressure and</p> <p>9 frustration which led to the way detained men were</p> <p>10 treated?</p> <p>11 <b>A. Yes, sir, you were faced with the detainees. It was</b></p> <p>12 <b>easier to blame them for your working conditions than it</b></p> <p>13 <b>was G4S or the Home Office.</b></p> <p>14 MR ALTMAN: Chair, I'm about, then, to move on to another</p> <p>15 incident, and although we started late, I might have</p> <p>16 asked you to rise in five minutes, but perhaps now is as</p> <p>17 good a time as any. So in your hands as to when we come</p> <p>18 back. Perhaps 11.40 am?</p> <p>19 THE CHAIR: Yes, agreed. We will take 15 minutes and return</p> <p>20 at 11.40 am. Thank you very much.</p> <p>21 (11.26 am)</p> <p>22 (A short break)</p> <p>23 (11.52 am)</p> <p>24 MR ALTMAN: Moving on, please, Mr Tulley, let's deal with an</p> <p>25 incident on 17 May relating to D275. Let's put up on</p> <p style="text-align: right;">Page 39</p>
<p>1 Q. Can we put up now, please, another document,</p> <p>2 &lt;CJS000901&gt;, chair, the next flag for you, tab 39. At</p> <p>3 page 15. Here is another one of those use of force</p> <p>4 review meeting forms. We will remind ourselves, the</p> <p>5 incident took place on 13 May. It is about two and</p> <p>6 a half months later, 31 July, where Steve Webb is</p> <p>7 producing this document with a number of boxes ticked</p> <p>8 about the nature of the use of force, medical forms</p> <p>9 being present in the use of force report, which there</p> <p>10 is, although I've not put it up on screen, and so on and</p> <p>11 so forth.</p> <p>12 The kind of document you've probably never seen</p> <p>13 before?</p> <p>14 <b>A. Correct, sir.</b></p> <p>15 Q. While I have it in mind, do you remember how you told us</p> <p>16 in the course of your evidence that understaffing, staff</p> <p>17 turnover being high, the number of detained persons on</p> <p>18 wings, all of that created an unimaginable workload</p> <p>19 which led to frustrations being taken out on detained</p> <p>20 persons?</p> <p>21 <b>A. Yes, sir.</b></p> <p>22 Q. Do you think one of the other frustrations was</p> <p>23 a pressure on staff from management or from the</p> <p>24 Home Office to ensure removals, including charter</p> <p>25 flights, took place? In other words, to ensure --</p> <p style="text-align: right;">Page 38</p>	<p>1 screen what you had to say about it in your police</p> <p>2 statement at &lt;SXP000120&gt; at page 7. Right at the bottom</p> <p>3 of the page, if we just expand that, please, it reads,</p> <p>4 "Sunday, the 7th", it should be 17 May:</p> <p>5 " ... during the late afternoon I was tasked to get</p> <p>6 kitted up into riot gear as part of a team because</p> <p>7 a detainee was protesting on the suicide netting."</p> <p>8 In fact, it's D275:</p> <p>9 "I was there in case we were needed to intervene to</p> <p>10 save life. We were standing in the stairwell out of</p> <p>11 view in case the Tactical National Response Team did not</p> <p>12 arrive in time."</p> <p>13 Pausing there, were they called on this occasion?</p> <p>14 <b>A. Yes, sir.</b></p> <p>15 Q. In what circumstances would they be called in?</p> <p>16 <b>A. If there was a riot in the prison, they would be called</b></p> <p>17 <b>in. This didn't happen in my time at Brook House, but</b></p> <p>18 <b>it did happen before I was there. And they would be</b></p> <p>19 <b>called in to deal with incidents which the staff at</b></p> <p>20 <b>the -- the existing staff in the detention centre</b></p> <p>21 <b>weren't equipped or qualified to do.</b></p> <p>22 Q. What was different about this particular event to when</p> <p>23 D1527 was on the netting? Were the Nationals called in</p> <p>24 on that occasion?</p> <p>25 <b>A. They weren't, sir, no.</b></p> <p style="text-align: right;">Page 40</p>

<p>1 Q. What's the difference between that and this?</p> <p>2 <b>A. They would have been called in if they were going to go</b></p> <p>3 <b>onto the netting to take D1527 off.</b></p> <p>4 Q. Right.</p> <p>5 <b>A. But because there was no planned use of force, that</b></p> <p>6 <b>didn't -- they didn't need to be called in. I mean, if</b></p> <p>7 <b>he stayed up there for hours, they would have been</b></p> <p>8 <b>called in, sir.</b></p> <p>9 Q. I see. Were you not qualified, then, or your</p> <p>10 colleagues, to go on the netting to pull someone off?</p> <p>11 <b>A. No, sir.</b></p> <p>12 Q. That required the National Response Team to come in?</p> <p>13 <b>A. Yes, sir because of the added risk of being on the</b></p> <p>14 <b>netting.</b></p> <p>15 Q. "Whilst we were waiting in the stairwell, John Connolly,</p> <p>16 who was the control and restraint supervisor, told me to</p> <p>17 say to the detainee, 'Listen here, nigger, listen to</p> <p>18 me'. At the time [you say] I did not process what he</p> <p>19 said as I was anxious about filming in riot kit.</p> <p>20 However, since then I have had time to process this and</p> <p>21 I was offended by what he said due to the nature of its</p> <p>22 meaning. In the end we did not need to intervene</p> <p>23 [because the detained man] was removed by the Nationals.</p> <p>24 "John Connolly on a number of occasions has shown</p> <p>25 complete contempt and hatred towards the detainees.</p> <p style="text-align: right;">Page 41</p>	<p>1 "He's meant to have gone, but they fucked up his</p> <p>2 travel documents."</p> <p>3 Then on page 3, at the top:</p> <p>4 "He's got blades."</p> <p>5 What was that a reference to?</p> <p>6 <b>A. I understood he had razorblades, sir.</b></p> <p>7 Q. Was that true or false? Did you know? Did you find out</p> <p>8 afterwards?</p> <p>9 <b>A. I never found out, sir.</b></p> <p>10 Q. On the right-hand side, on the right column, at line 53,</p> <p>11 James Begg says:</p> <p>12 "The Nationals have come in, they'll have to put him</p> <p>13 on escort which is going to take longer."</p> <p>14 And on page 5, staffer 4, at line 66, says:</p> <p>15 "He's doing a sitting-in protest" or asks</p> <p>16 a question, "He's doing a sitting in protest?"</p> <p>17 You say:</p> <p>18 "He's just protesting, really, isn't he?"</p> <p>19 "James Begg was telling me he went to the ...</p> <p>20 "... airport", staffer 4 answers for you. You</p> <p>21 continue:</p> <p>22 "Airport ..."</p> <p>23 Over the page:</p> <p>24 "They didn't have the correct ..."</p> <p>25 He says:</p> <p style="text-align: right;">Page 43</p>
<p>1 About 3 shifts before I went undercover, Connolly</p> <p>2 ordered the strip search of a detainee for no real</p> <p>3 reason, [saying], 'Take his fucking clothes off'. The</p> <p>4 detainee was stripped of his clothing as DCOs stood</p> <p>5 around laughing at him. He was shown no dignity.</p> <p>6 John Connolly referred to him as a 'Cunt'. This verbal</p> <p>7 abuse towards detainees was commonplace in Brook House."</p> <p>8 So he was a use of force trainer, John Connolly?</p> <p>9 <b>A. Yes, sir.</b></p> <p>10 Q. We have seen a large section of the footage during the</p> <p>11 course of the opening statement. The context to D275</p> <p>12 being on the netting on 7 May, I think, is revealed by</p> <p>13 the transcript, or one of the transcripts, of</p> <p>14 the incident. Can we put up on screen, please,</p> <p>15 &lt;TRN0000009&gt; -- B/43 for you, chair?</p> <p>16 THE CHAIR: Thank you.</p> <p>17 MR ALTMAN: If we look at the bottom right of this page of</p> <p>18 this transcript, page 1, at line 89 someone called</p> <p>19 James Begg said:</p> <p>20 "He was meant to go this morning."</p> <p>21 James Begg being, what, a DCO?</p> <p>22 <b>A. DCM, sir.</b></p> <p>23 Q. DCM. Then on the next page, you ask at the top:</p> <p>24 "Was he going on a flight?"</p> <p>25 Begg:</p> <p style="text-align: right;">Page 42</p>	<p>1 "They didn't have the right document", at line 11.</p> <p>2 Staffer 4, at the top of 6, on the right, at line 52:</p> <p>3 "They only had one job to do and they fucked it up."</p> <p>4 What was it that they had, to use his terms, fucked</p> <p>5 up?</p> <p>6 <b>A. He wasn't provided with the correct travel documents.</b></p> <p>7 <b>So I understand, when he was taken to the airport, he</b></p> <p>8 <b>wasn't able to fly, sir.</b></p> <p>9 Q. So he's brought straight back?</p> <p>10 <b>A. Yes, sir.</b></p> <p>11 Q. And he's on the netting, as a protest?</p> <p>12 <b>A. Yes, sir.</b></p> <p>13 Q. With or without razorblades, as the case may be?</p> <p>14 <b>A. Yes, sir. I believed Begg when he said he had</b></p> <p>15 <b>razorblades because Begg was sat next -- not sat next to</b></p> <p>16 <b>him, but he was on the landing next to the netting.</b></p> <p>17 <b>Yeah, I think James Begg was someone -- a trustworthy</b></p> <p>18 <b>member of staff, and so I did believe him.</b></p> <p>19 Q. Can we bring up on screen, please, another transcript</p> <p>20 from these events, &lt;TRN0000085&gt;, at page 35. We have</p> <p>21 seen, as I say, some of this footage, Mr Tulley, during</p> <p>22 the course of the opening statement. There was a point</p> <p>23 when you, with other officers, in what looked like riot</p> <p>24 gear, were formed up on a stairwell. Do you remember?</p> <p>25 <b>A. Yes, sir.</b></p> <p style="text-align: right;">Page 44</p>

<p>1 Q. Most of this footage is about conversation between you.  2 Here is some conversation during the course of those  3 events. You say:  4 "I can hear."  5 And you refer to someone ciphered as D343:  6 "I can hear his voice."  7 Connolly says something. Another staffer says:  8 "We have got a real knobhead who is in at the  9 moment."  10 Connolly says:  11 "Especially the mate that didn't turn up."  12 You say:  13 "By who?"  14 And he says:  15 "Black fellas. They think they are 'it'.  16 And you add into the conversation:  17 "... there are a few boys in here that think they  18 are it at the minute."  19 You then add:  20 "I was -- basically, I was in the office yesterday,  21 activities office. I'm here to see D687 last week to  22 put him on a transfer. And D687, who is 343's roommate,  23 is on this wing. And they were here for about two  24 years. He was always in the same room as D687 told D343  25 that I had personally restrained him. And then, D343</p> <p style="text-align: center;">Page 45</p>	<p>1 A. Someone who was meant to be in a leadership role.  2 I mean, to use -- to suggest staff use that language --  3 three members of staff he doesn't know particularly  4 well -- demonstrates his faith in the culture of silence  5 that I've spoken about and, yes, it's -- I mean, I said  6 in my statement that in any workplace the N word would  7 obviously be seen as utterly shameful and unacceptable,  8 but in Brook House, where we were the custodians over  9 a significant number of black individuals for whom we  10 had a duty of care and for whom we were required to use  11 force on, if necessary, this type of language was, if  12 possible, even more shameful and unacceptable.  13 Q. Let's actually have a look within the transcript. In  14 fact, it's -- the term "black fellas" comes first in the  15 sequence. If we move on to page 44 in the same  16 transcript, if we can take the top half and expand it,  17 please, we've got at line 1471 you talking about "Try  18 and de-escalate it?" And you talk about the figure of  19 four. Is that a reference to the sort of diamond shape  20 that you were talking about yesterday, how the team  21 restrain somebody -- left arm, right arm, cuffs at the  22 back --  23 A. I think so, sir, yes. It's hard to remember what the  24 figure of four meant, actually, frustratingly.  25 Q. John Connolly says at 1474:</p> <p style="text-align: center;">Page 47</p>
<p>1 yesterday, in the morning, was like 'You -- you've seen  2 [something is missed]'. And then he'd come to the  3 activities office last night and they were like banging  4 on the door and swearing at me through the door."  5 Connolly asks:  6 "Did you speak with D343?  7 "Yeah, I did. That's what I said to D343. I said,  8 yeah, I did what had to be done.  9 "Connolly: Yeah. It was professional, nothing --  10 nothing personal."  11 That's really part of the conversation that was  12 going on. Once again, you're talking about 687 and  13 something that had happened with him. But what we see  14 is reference by Mr Connolly at that point to "black  15 fellas" and I think earlier in this exchange while you  16 were on the stairwell he talks to you about, as you said  17 in your Sussex Police statement, "You should refer to  18 him as a 'nigger', D275?  19 A. Yes, sir.  20 Q. Was that fairly typical?  21 A. The N word wasn't a word that was used typically. No,  22 that wasn't commonplace, sir. Anti-immigration rhetoric  23 was commonplace, but such racist language wasn't.  24 Q. It is a pretty direct, offensive word to suggest, for  25 somebody who was a use of force trainer --</p> <p style="text-align: center;">Page 46</p>	<p>1 "Just say listen here nigger, listen to me."  2 One of the other officers laughs:  3 "Do what you are told, nigger."  4 The other staff says:  5 "Now you've got nigger in your head, you'll probably  6 say it."  7 So it seems to go further than just suggesting, as  8 you said in your statement, "Listen, nigger". It's,  9 "Listen to me. Do what you're told", and so it's not  10 just the use of the word, it's the use of the word,  11 coupled with authority?  12 A. Yes, sir.  13 Q. And subduing and perhaps making somebody subservient?  14 A. Exactly, sir. Sickening.  15 Q. Then if we move on, please, to page 54 -- chair, for you  16 it is at tab -- it is probably the same tab, actually,  17 I think, because I think we have this transcript  18 elsewhere as well?  19 THE CHAIR: I have it, thank you.  20 MR ALTMAN: Tab 104, I think it was, at 54. About halfway  21 down, at 1872, line 1872, do you see:  22 "If he fucks up everything, he's getting ... So  23 watch his fucking -- mash him up in the corner. You  24 can't find a rabbit in a corner. If we fuck up, he'll  25 fucking split."</p> <p style="text-align: center;">Page 48</p>

<p>1 Then he says:</p> <p>2 "We've got to push him down with a stick on the</p> <p>3 side?"</p> <p>4 What did you think that meant and referred to</p> <p>5 a "stick on the side"?</p> <p>6 <b>A. No idea, sir.</b></p> <p>7 Q. "Just get him back.</p> <p>8 "I want to fucking shove him down.</p> <p>9 "... if he refuses ... we can shove him in there."</p> <p>10 <b>A. This is a reference to a blind spot in the corner of</b></p> <p>11 <b>the stairwell in which cameras can't see.</b></p> <p>12 Q. This is what I need to ask you about. I mean, I will</p> <p>13 come back to an issue with the cameras in a second.</p> <p>14 When we saw the footage, you're on the stairwell for</p> <p>15 quite a while. You're in riot gear. Connolly is there.</p> <p>16 You're there. Dan Small is there.</p> <p>17 <b>A. Yes, sir.</b></p> <p>18 Q. And one or two others appear in shot. Then, eventually,</p> <p>19 when the time comes, you troop out of the stairwell,</p> <p>20 seem to go outside the building, come back inside</p> <p>21 another building --</p> <p>22 <b>A. Yes, sir.</b></p> <p>23 Q. -- go up some stairs and onto a wing?</p> <p>24 <b>A. Yes, sir.</b></p> <p>25 Q. Now, before you do, I think you speak to Derek Murphy,</p> <p style="text-align: center;">Page 49</p>	<p>1 the footage, as if you have left the building and gone</p> <p>2 somewhere entirely different, or that part of</p> <p>3 the building, but you have actually just come back</p> <p>4 through a different entrance?</p> <p>5 <b>A. We have just come back onto the A wing from the other</b></p> <p>6 <b>side of the wing, sir.</b></p> <p>7 Q. I see. What was all the referencing to the stairwell,</p> <p>8 though? What was going to happen on the stairwell? How</p> <p>9 was that going to work, given The Nationals were going</p> <p>10 to take him off?</p> <p>11 <b>A. This was all hypothetical, in that we would -- only if</b></p> <p>12 <b>the detainee started self-harming on the netting. The</b></p> <p>13 <b>reason we were kitted up on standby was, if he started</b></p> <p>14 <b>self-harming on the netting, then we would go on the</b></p> <p>15 <b>netting to restrain him. So this was all sort of</b></p> <p>16 <b>hypothetical, what we would do if we were needed to</b></p> <p>17 <b>restrain him.</b></p> <p>18 Q. Listening to John Connolly and the sort of things that</p> <p>19 he was saying, did any of that sound to you as if it was</p> <p>20 responsible kind of chat to other DCOs involved in use</p> <p>21 of force when he was a use of force trainer?</p> <p>22 <b>A. Not remotely appropriate, sir, no. I mean, even if you</b></p> <p>23 <b>set the racist language aside, he was telling us that we</b></p> <p>24 <b>would drag the detainee into the corner of the stairwell</b></p> <p>25 <b>where there were no cameras and we'd fuck him up, we'd</b></p> <p style="text-align: center;">Page 51</p>
<p>1 big chap with a beard?</p> <p>2 <b>A. Yes, sir.</b></p> <p>3 Q. First of all, what were you doing on that stairwell when</p> <p>4 that wasn't in the relevant wing where D275 was</p> <p>5 protesting on the netting?</p> <p>6 <b>A. It was the relevant -- it was actually in the relevant</b></p> <p>7 <b>wing, sir. It was -- but we left the stairwell when</b></p> <p>8 <b>The Nationals had arrived, so we no longer needed to be</b></p> <p>9 <b>there.</b></p> <p>10 Q. Right.</p> <p>11 <b>A. But we didn't want to go onto A wing through the door</b></p> <p>12 <b>which was immediately to our left, which would have just</b></p> <p>13 <b>got us directly onto A wing, because we were all in riot</b></p> <p>14 <b>kit, that would have alarmed the detainee, and we</b></p> <p>15 <b>couldn't afford for that to happen because the National</b></p> <p>16 <b>Response Team were about to come in and go onto the</b></p> <p>17 <b>netting themselves. So we didn't want to kind of</b></p> <p>18 <b>obstruct anything. So we went a very long way around to</b></p> <p>19 <b>get to A wing. We went down the stairwell, walked</b></p> <p>20 <b>around the perimeter road, we walked through the back of</b></p> <p>21 <b>the segregation unit, through E wing, and then out of</b></p> <p>22 <b>the front entrance of E wing and into the front entrance</b></p> <p>23 <b>of A wing, or we may have gone upstairs and gone on the</b></p> <p>24 <b>first floor entrance to A wing. I can't quite remember.</b></p> <p>25 Q. That was my error, because it looks, when you look at</p> <p style="text-align: center;">Page 50</p>	<p>1 <b>use the stairs -- the risk of restraining someone by the</b></p> <p>2 <b>stairs as a justification for throwing him in the corner</b></p> <p>3 <b>and dealing with him in there. It was a plan to assault</b></p> <p>4 <b>and mistreat a detainee, and we were being instructed to</b></p> <p>5 <b>carry out this plan by someone in a leadership role,</b></p> <p>6 <b>a restraint trainer, who was responsible for training</b></p> <p>7 <b>all new recruits that came into the detention centre in</b></p> <p>8 <b>terms of control and restraint.</b></p> <p>9 <b>So here is a man telling his staff to refer to</b></p> <p>10 <b>detainees as the N word and telling us to conspire to</b></p> <p>11 <b>fuck up a detainee out of view of cameras, and this</b></p> <p>12 <b>wasn't just a DCO, it was the restraint trainer at the</b></p> <p>13 <b>detention centre.</b></p> <p>14 Q. Let us look at -- are you still on page 54? I want to</p> <p>15 ask you about this as well. If we go to line 1882, one</p> <p>16 of the things that you have said, and, if needs be, we</p> <p>17 can look at it, but I think anybody who has read what</p> <p>18 you had to say in the witness statement will realise is</p> <p>19 one of the things that John Connolly also said,</p> <p>20 according to you, and this is the way you took it, and</p> <p>21 you say this in your inquiry statement, is that by</p> <p>22 reference to a camera above the stairwell, he was going</p> <p>23 to, as you recall it, "scrub the cunt"; do you remember?</p> <p>24 <b>A. That's correct, sir, yes.</b></p> <p>25 Q. What you took that to mean, and it is part of what you</p> <p style="text-align: center;">Page 52</p>

<p>1 have just said, is that if the camera captured what had</p> <p>2 gone on, he would delete it or delete the footage?</p> <p>3 <b>A. Yes, sir.</b></p> <p>4 Q. If one were to look at the footage, I think Dan Small,</p> <p>5 who was in riot gear -- you don't actually -- you may</p> <p>6 have heard him say on the footage, referencing the</p> <p>7 camera?</p> <p>8 <b>A. Yes, sir.</b></p> <p>9 Q. But you certainly see him gesture towards the camera and</p> <p>10 you can clearly see a camera on the wall above the</p> <p>11 stairwell?</p> <p>12 <b>A. And he says, "There's a camera there, boss".</b></p> <p>13 Q. "There's a camera there, boss" and, according to you,</p> <p>14 your recollection is, "I'll scrub the cunt"?</p> <p>15 <b>A. Correct.</b></p> <p>16 Q. First of all, that's your recollection. I just want to</p> <p>17 ask you, when Connolly said that, did you believe that</p> <p>18 he meant it or was he just bragging or was it just</p> <p>19 bravado or was he mucking around?</p> <p>20 <b>A. I believe that he meant it. Although I don't know how</b></p> <p>21 <b>possible it would have been. But he was someone who was</b></p> <p>22 <b>in a leadership role who was popular with staff, so if</b></p> <p>23 <b>he did need to -- I mean, if he needed help from friends</b></p> <p>24 <b>in the centre to access material or footage, he</b></p> <p>25 <b>certainly had them. I don't know how difficult that</b></p> <p style="text-align: center;">Page 53</p>	<p>1 said, "I'll just grab -- I'll just grab the cunt ... I'm</p> <p>2 going to do it"?</p> <p>3 <b>A. That's incorrect, sir.</b></p> <p>4 Q. It's "scrub"?</p> <p>5 <b>A. "Scrub", clearly, in my eyes, and my recollection is</b></p> <p>6 <b>also of the word "scrub".</b></p> <p>7 Q. The only other thing is, search as I might, I can't</p> <p>8 find, in this transcript, Dan Small saying, "There is</p> <p>9 a camera, boss", or something to that effect. But</p> <p>10 you've seen the footage more than once?</p> <p>11 <b>A. Yes, sir.</b></p> <p>12 Q. You filmed it?</p> <p>13 <b>A. Yes, sir.</b></p> <p>14 Q. Are you sure he said that?</p> <p>15 <b>A. Positive, sir. It's also in the Panorama, sir.</b></p> <p>16 Q. Well, the footage certainly is. The transcriber hasn't</p> <p>17 found it.</p> <p>18 <b>A. No, I appreciate it, sir. But when he says, "There's</b></p> <p>19 <b>a camera there, boss", that's also in the film, sir.</b></p> <p>20 Q. Something else I want to ask you about within the same</p> <p>21 transcript, please, is found on page 77. It's really</p> <p>22 line 2745. There have been several exchanges, and then</p> <p>23 you see at 2745 John Connolly refers to a member of</p> <p>24 staff who has gone, and the words that he says are:</p> <p>25 "Right, now that cunt's gone erm, what'll happen is,</p> <p style="text-align: center;">Page 55</p>
<p>1 <b>process would have been. If it's kind of -- if the</b></p> <p>2 <b>footage is recorded and stored in the control room, he</b></p> <p>3 <b>was certainly popular amongst staff up there. But</b></p> <p>4 <b>I can't offer much insight into how he would have gone</b></p> <p>5 <b>about deleting the footage, sir. But I believed him</b></p> <p>6 <b>when he said he'd do it, yes.</b></p> <p>7 Q. Mindful of the errors that are going to be found in</p> <p>8 these transcripts from time to time --</p> <p>9 <b>A. Yes, sir.</b></p> <p>10 Q. -- on page 54, which we have open, at line 1882</p> <p>11 Connolly says, having talked about pushing him down,</p> <p>12 stick on the side, "I want to fucking shove him down":</p> <p>13 "And then, if he refuses ... we can shove him in</p> <p>14 there."</p> <p>15 Then Dan Small, at 1884, says:</p> <p>16 "Well, the fucker is going to come in there, bro.</p> <p>17 I'll just grab -- I'll just grab the cunt ... I'm going</p> <p>18 to do it."</p> <p>19 Two things: it was John Connolly, not Dan Small, if</p> <p>20 one looks at the footage, for a start?</p> <p>21 <b>A. Yes, sir.</b></p> <p>22 Q. So the attribution is incorrect?</p> <p>23 <b>A. Yes, sir.</b></p> <p>24 Q. At line 1884, it should be John Connolly, on any</p> <p>25 showing. But you will see the transcriber here has</p> <p style="text-align: center;">Page 54</p>	<p>1 the Nationals will be behind you, they'll come up on</p> <p>2 that end."</p> <p>3 Who was the cunt that had gone?</p> <p>4 <b>A. He was -- he wasn't a DCO, as far as I'm aware. I think</b></p> <p>5 <b>he might have been -- I think he might have been part of</b></p> <p>6 <b>the chaplaincy, but I'm not quite sure.</b></p> <p>7 Q. Was he of an ethnic minority?</p> <p>8 <b>A. Yes, sir, I think he was of -- yes, sir, he was of an</b></p> <p>9 <b>ethnic minority, yes.</b></p> <p>10 Q. If you look at the footage, certainly I think there's an</p> <p>11 Asian man who is there in the stairwell at one point.</p> <p>12 He is not in riot gear?</p> <p>13 <b>A. Yes, sir.</b></p> <p>14 Q. Is that the man you have in mind?</p> <p>15 <b>A. Yes, sir, a British Asian man, a Muslim guy, I think.</b></p> <p>16 Q. We have had the N word, we have had a reference to</p> <p>17 "black fellas" and now a reference even to a member of</p> <p>18 the chaplaincy, you think, but certainly a staff member</p> <p>19 at Brook House, who is of an ethnic minority, referred</p> <p>20 to as a "cunt who has now gone"?</p> <p>21 <b>A. Yes, sir.</b></p> <p>22 Q. You say that that kind of racism was not typical of many</p> <p>23 members of staff, although anti-immigrant rhetoric was?</p> <p>24 <b>A. I said the N word wasn't typical.</b></p> <p>25 Q. Was racism generally, then?</p> <p style="text-align: center;">Page 56</p>

<p>1 <b>A. It was certainly there, sir, yes.</b></p> <p>2 Q. Was John Connolly one of those who would typically use</p> <p>3 this kind of language?</p> <p>4 <b>A. I'd never heard him use the N word before, sir.</b></p> <p>5 Q. But he had on this occasion?</p> <p>6 <b>A. Yes, sir.</b></p> <p>7 Q. Are we to understand it was limited to him or --</p> <p>8 <b>A. No, sir.</b></p> <p>9 Q. -- would others use similar language, even if they</p> <p>10 didn't use the N word?</p> <p>11 <b>A. Language which wasn't as bad as that, but had racist</b></p> <p>12 <b>undertones, nonetheless.</b></p> <p>13 Q. Moving on, let's put 17 May behind us and now move to</p> <p>14 27 May. This is footage that we, I don't think, have</p> <p>15 seen, and so I will play it, but it doesn't last for</p> <p>16 terribly long. But, first, it's really the narrative.</p> <p>17 Do you remember a time when you were in the staff room</p> <p>18 and on the shift you'd been called to get kitted up for</p> <p>19 the restraint of another detainee, D1914? If you look</p> <p>20 at your list, you will see who that is. Yes?</p> <p>21 <b>A. Yes, sir.</b></p> <p>22 Q. The detainee was to be reported back to Romania and</p> <p>23 management didn't believe he'd go quietly, hence the</p> <p>24 need to get kitted up. And you were told he had</p> <p>25 a conviction for attempted murder?</p> <p style="text-align: center;">Page 57</p>	<p>1 (Video played)</p> <p>2 MR ALTMAN: Let's look at some of the transcripts that go</p> <p>3 with that. &lt;TRN0000012&gt;, please, B/50 for you, chair.</p> <p>4 You will see at the top, at line 13, you say:</p> <p>5 "I've never done this shield before, this will be my</p> <p>6 first time."</p> <p>7 Was that true?</p> <p>8 <b>A. It was, sir.</b></p> <p>9 Q. Officer 1:</p> <p>10 "You hold it like that."</p> <p>11 Officer 2:</p> <p>12 "And don't stop."</p> <p>13 I think on both occasions the officer identified as</p> <p>14 1 and 2, I think they're Dave Webb, aren't they?</p> <p>15 <b>A. Yes, sir.</b></p> <p>16 Q. And "Don't stop. When you hit him, don't stop, keep</p> <p>17 going."</p> <p>18 Then, chair, at tab 51, you have at the top right of</p> <p>19 &lt;TRN0000012&gt;, it's the same transcript:</p> <p>20 "Do you actually hit -- do you actually."</p> <p>21 Is what you say, top right. And officer 3, who</p> <p>22 Jonny Martin, and we heard him, and he's got a Northern</p> <p>23 Irish accent, that's the man you were talking about</p> <p>24 a little earlier, says:</p> <p>25 "... and then you just go."</p> <p style="text-align: center;">Page 59</p>
<p>1 <b>A. Yes, sir.</b></p> <p>2 Q. But also he had a heart condition?</p> <p>3 <b>A. Yes, sir.</b></p> <p>4 Q. At some point, you said, there had been other attempts</p> <p>5 to deport him but all previous attempts had failed, and</p> <p>6 there was conversation in the staff room between you and</p> <p>7 Jonny Martin, somebody to whom you've already referred,</p> <p>8 regarding the planned use of force and the use of</p> <p>9 a shield. Do you remember that?</p> <p>10 <b>A. Yes, sir.</b></p> <p>11 Q. There was a demonstration, which you captured on camera,</p> <p>12 as to how the shield was to be used, and the</p> <p>13 conversation continued after Jonny Martin had left the</p> <p>14 room with Dave Webb demonstrating to you how to use the</p> <p>15 shield. Do you remember that?</p> <p>16 <b>A. Yes, sir.</b></p> <p>17 Q. Let's play these clips. The first is KENCOV 1025, and</p> <p>18 it is V2017052700008. From the beginning. We will only</p> <p>19 play about two minutes of it, and we will look at some</p> <p>20 transcripts, as we have before.</p> <p>21 (Video played)</p> <p>22 MR ALTMAN: Stop there, thanks.</p> <p>23 Then if we can play the next in series from</p> <p>24 V2017052700010, beginning at -- we can start at the</p> <p>25 beginning. It's really 8 seconds past.</p> <p style="text-align: center;">Page 58</p>	<p>1 And you say:</p> <p>2 "Do you push the ..."</p> <p>3 You were obviously about to say "shield". And Alex</p> <p>4 says, according to the transcript:</p> <p>5 "You literally -- you smack and cut."</p> <p>6 In one of the documents which you exhibited, the</p> <p>7 Word document which you exhibited, to your second</p> <p>8 statement to the inquiry, you said at 00:39, so at that</p> <p>9 point, at line 73, what the transcript says is wrong,</p> <p>10 and what Alex actually said is, "You literally smash the</p> <p>11 cunt"?</p> <p>12 <b>A. Yes, sir.</b></p> <p>13 Q. Does that sound more like what he said, you having</p> <p>14 viewed the footage, rather than "you smack and cut"?</p> <p>15 <b>A. That's how I remembered it, sir, and on reviewing the</b></p> <p>16 <b>footage -- I can see why the transcriber thought it was</b></p> <p>17 <b>"cut", but I still believe it was "cunt".</b></p> <p>18 Q. In its current form, it doesn't mean anything, "You</p> <p>19 smack and cut". Do you see on the transcript? It</p> <p>20 doesn't particularly mean anything.</p> <p>21 <b>A. Yes.</b></p> <p>22 Q. But your observation, from having viewed the footage,</p> <p>23 obviously more than once, is, "You literally smash the</p> <p>24 cunt"?</p> <p>25 <b>A. Precisely, sir.</b></p> <p style="text-align: center;">Page 60</p>

<p>1 Q. Another transcript, please, in this series, 2 &lt;TRN0000013&gt;, chair, tab 52 at page 2. We heard him say 3 this. At line 29, Dave Webb: 4 "Hit with the edge. Anywhere between the knee and 5 the throat." 6 Now, from the training you'd had, did that sound 7 legitimate? 8 <b>A. No, sir, but Dave Webb was also a restraint trainer, 9 sir.</b> 10 Q. What is the idea of a shield? Is the idea of a shield 11 to use as a weapon? Because this is how it's being 12 described here, striking someone with it. Is it 13 designed to strike or is it designed to hold someone 14 back? How would you describe it? 15 <b>A. I'd say the shield is needed to hold someone back or as 16 a form of protection if something is being thrown at the 17 team, whether it's hot water or a chair, or whatever it 18 might be. And it's used to -- I mean, it is -- it 19 was -- whether this was right or wrong, it was used to 20 subdue the detainee. I don't know if this was the right 21 or the wrong way, but it was how we were trained to use 22 the shield.</b> 23 Q. So "Hit with the edge. Anywhere between the knee and 24 the throat. And then just keep fucking going". 25 On the next page, page 3, you will see -- and we</p> <p style="text-align: center;">Page 61</p>	<p>1 <b>occasion.</b> 2 Q. Yes, exactly. But on this occasion -- I think that was 3 Derek Murphy. 4 <b>A. Yes.</b> 5 Q. But on this occasion, we have Dave Webb saying the same 6 thing. Was that part of the culture: it doesn't matter 7 if somebody dies? It is one thing for one person to say 8 it, but it is something entirely different for two 9 people to say identical things on different occasions? 10 <b>A. Yes, sir, of course. These aren't the only occasions --</b> 11 Q. No, it's what you captured? 12 <b>A. These are the only occasions I captured, exactly, in 13 a three-month period. I was there for two and a half 14 years.</b> 15 Q. On page 20 of the same transcript, please, right at the 16 top, you say: 17 "I'm not worried about, I'm not worried about this 18 shield stuff. Obviously, I've just ..." 19 And Dave Webb says: 20 "It's just getting the first out the way, innit." 21 You say: 22 "Just worried about this guy", referring to D1940: 23 "Dave Webb: It doesn't matter." 24 And you say: 25 "What if he dies?"</p> <p style="text-align: center;">Page 63</p>
<p>1 heard for ourselves -- Yan Paschali's voice as he, 2 clearly in the staff room, became involved in the 3 conversation. At line 17, which is the timestamp 4 00:01:23, according to the transcript, he says: 5 "I promise you if he complies ..." 6 Again, this is another part that you've obviously 7 listened to and viewed, and in your Word document which 8 you supplied to the inquiry -- in fact, in your Excel 9 document, not the Word one, which you exhibited to your 10 second statement to the inquiry, you said, actually, 11 what he says there, Paschali, is, "Obviously, if he 12 complies, don't beat the shit out of him". Do you 13 remember saying that? 14 <b>A. Yes, sir. I remember Paschali saying that, yes.</b> 15 Q. Then two more references, please. We have another 16 transcript, &lt;TRN0000087&gt; at page 16. Chair, tab 53. At 17 the bottom of page 16, this is all part of, I think, the 18 same conversation. Right at the bottom of the page, 19 you've got Dave Webb saying: 20 "If he dies, he dies." 21 Do you remember that? 22 <b>A. I don't remember that, sir, no.</b> 23 Q. We have somebody else saying that as well, and we will 24 come to it. 25 <b>A. I remember a DCO saying it on a completely different</b></p> <p style="text-align: center;">Page 62</p>	<p>1 Webb says: 2 "No, we've got that disclaimer. So what we'll do is 3 in the morning I'll grab that off of Knobby. I'll take 4 a couple of copies before all the paperwork gets tucked 5 away. And I'll give you one." 6 What was he talking about? 7 <b>A. I don't know. When he says "Knobby" he's talking about 8 Steve Loughton, DCM.</b> 9 Q. Was that his nickname? 10 <b>A. Yes, sir.</b> 11 Q. What was he talking about? 12 <b>A. I don't know what a disclaimer is, sir.</b> 13 Q. We are still on 27 May and all of this is designed -- 14 all of what was going on in the staff room was at a time 15 when you were preparing yourselves for the interaction 16 with, and the planned use of force on, D1914? 17 <b>A. Yes, sir.</b> 18 Q. So we come to that particular incident as well. This 19 was, as you will recall, the removal of this man from 20 his room? 21 <b>A. Yes, correct.</b> 22 Q. You were assigned as the shield officer? 23 <b>A. Yes, sir.</b> 24 Q. Were you the only one who was to have a shield? 25 <b>A. Yes, sir.</b></p> <p style="text-align: center;">Page 64</p>



1 Q. Did that mean you went in first?  
 2 **A. Yes, sir.**  
 3 Q. You remembered, when you narrated this particular  
 4 incident in the Excel document that you provided the  
 5 inquiry, the restraint took place once all detainees had  
 6 been locked in their cells?  
 7 **A. Yes, sir.**  
 8 Q. You removed him successfully?  
 9 **A. Yes, sir.**  
 10 Q. He was checked by healthcare. Staff tried to get him to  
 11 walk, but he initially refused and had to be restrained?  
 12 **A. Yes, sir.**  
 13 Q. You believed, in addition to Yan Paschali and Dave Webb,  
 14 that another DCO named Alice --  
 15 **A. Yes, sir.**  
 16 Q. -- may have been assigned as the handcuff officer?  
 17 **A. Yes, sir.**  
 18 Q. Steve Dix was responsible for overseeing and directing  
 19 the restraint?  
 20 **A. Yes, sir.**  
 21 Q. Nathan Ring was responsible for filming the restraint?  
 22 **A. Yes, sir.**  
 23 Q. He had a hand-held camera?  
 24 **A. He did.**  
 25 Q. That was normal practice, was it, for planned

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1 the other you recall being Dan Lake?  
 2 **A. Yes, sir.**  
 3 Q. Then let's have a look at this footage, please. I don't  
 4 think we saw this, if my memory serves me, during the  
 5 opening statement. It's KENCOV1025, V2017052700020, and  
 6 it begins at 0527.  
 7 (Video played)  
 8 MR ALTMAN: Let's stop it there, thank you. Yan Paschali.  
 9 Who is the other chap?  
 10 **A. Dave Webb, sir.**  
 11 Q. That was Dave Webb. He was the one who was in part  
 12 showing you the use of the shield earlier to whom we  
 13 referred. And the man who was talking to D1914 in the  
 14 cell about how he wanted the strip search to go, who was  
 15 that?  
 16 **A. The person in the white shirt, sir?**  
 17 Q. White shirt.  
 18 **A. Steve Dix, sir.**  
 19 Q. I don't know if -- we have just a few minutes. Let's  
 20 see if we can at least play -- there are two other bits  
 21 of footage that we haven't yet seen. I'm going to ask,  
 22 please, if we can show the body-worn camera footage,  
 23 which is disk 50, UoF, 134.17 from camera 3, not camera  
 24 2. It's the camera 3 one I'd like to show, if I may.  
 25 This is the start of the use of force; is that

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1 restraints?  
 2 **A. Yes, sir.**  
 3 Q. You also believed that there were two nurses present?  
 4 **A. Yes, sir.**  
 5 Q. Once Paschali, Dave Webb and yourself had restrained  
 6 D1914 and successfully relocated him to E wing, room 7,  
 7 other DCOs in riot kit relieved you?  
 8 **A. Correct, sir.**  
 9 Q. He was taken to room 7 for what reason? Do you  
 10 remember?  
 11 **A. I think he had a history of self-harm, sir.**  
 12 Q. Why did your team have to be relieved?  
 13 **A. Because we had been -- we had engaged in a tiring**  
 14 **restraint and we were tired, sir.**  
 15 Q. Was there the possibility more restraint was required?  
 16 **A. Yes, sir.**  
 17 Q. What was going to happen? Why was there the possibility  
 18 of a further restraint of this man?  
 19 **A. He had to be strip searched, which hadn't happened yet,**  
 20 **and he may have resisted.**  
 21 Q. Yes.  
 22 **A. Yes. I think that's probably it, sir. Because I don't**  
 23 **think his flight was until the next day, or that**  
 24 **evening, later on.**  
 25 Q. You name two of the relief -- one was Ryan Bromley and

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1 right?  
 2 **A. Yes, sir.**  
 3 (Video played)  
 4 MR ALTMAN: Can we wind it on a bit, please. I'll tell you  
 5 when to stop. Because this runs for about 11 minutes,  
 6 by the look of it, maybe 12. Can we go to about halfway  
 7 through. Thank you.  
 8 (video played)  
 9 MR ALTMAN: Can you just pause it for a moment? Mr Tulley,  
 10 while we have got it, because we have probably one of  
 11 the best views of inside a room that we are ever going  
 12 to get. This is a double-occupancy room?  
 13 **A. Yes, sir.**  
 14 Q. There's a table under what looks like the window with  
 15 some curtains closed?  
 16 **A. Yes, sir.**  
 17 Q. Do we see the material on the left, what is that? On  
 18 the right, sorry?  
 19 **A. This is like a disabled kind of -- this is a cell for**  
 20 **a disabled person. So that's like a shower curtain that**  
 21 **actually goes all the way around.**  
 22 Q. So this is a different kind of room to what other men  
 23 would occupy?  
 24 **A. Yes. It's identical besides this toilet area.**  
 25 Q. We saw that there was a stainless steel sink?

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17 (Pages 65 to 68)

<p>1 <b>A. Yes, sir.</b></p> <p>2 Q. Carry on, please.</p> <p>3 (Video played)</p> <p>4 MR ALTMAN: Can we wind it forward a bit as well, another</p> <p>5 couple of minutes.</p> <p>6 (Video played)</p> <p>7 MR ALTMAN: Mr Tulley, which one are you in there?</p> <p>8 <b>A. I'm the person holding the head, sir.</b></p> <p>9 Q. Let's wind it on a bit further as well now, please. To</p> <p>10 about halfway of what's left. Thank you.</p> <p>11 (Video played)</p> <p>12 MR ALTMAN: Thank you. Chair, there is one more footage</p> <p>13 that I'm going to show, but not now, and it's the</p> <p>14 debrief by Steve Dix afterwards. Would that have been</p> <p>15 body-worn camera, Mr Tulley, or hand-held camcorder?</p> <p>16 <b>A. I'm not sure, sir. Probably hand-held.</b></p> <p>17 Q. I think it could be body-worn camera footage, but we</p> <p>18 will see.</p> <p>19 <b>A. Okay.</b></p> <p>20 MR ALTMAN: Chair, can I suggest we do that at 2.00 pm.</p> <p>21 THE CHAIR: I do have two short questions, it probably makes</p> <p>22 sense to follow up in relation --</p> <p>23 MR ALTMAN: By all means.</p> <p>24 THE CHAIR: If you are okay with that, Mr Tulley, and you're</p> <p>25 not desperate for a break.</p> <p style="text-align: center;">Page 69</p>	<p>1 <b>A. The HMP overalls, chair, yes, there were some of those</b></p> <p>2 <b>in the store cupboard. Some had "HMP" labelling on</b></p> <p>3 <b>them, others didn't.</b></p> <p>4 THE CHAIR: But there was no difference between what the</p> <p>5 uniform was?</p> <p>6 <b>A. No, chair.</b></p> <p>7 THE CHAIR: Thank you. Finally, obviously we observe</p> <p>8 members of healthcare staff in that planned use of</p> <p>9 force. Was that, from your understanding, because it</p> <p>10 was a planned use of force involving somebody with</p> <p>11 a known medical condition, or, in your experience, was</p> <p>12 there always a member of healthcare staff on hand if it</p> <p>13 was a planned use of force?</p> <p>14 <b>A. There was always a member of healthcare staff on</b></p> <p>15 <b>planned -- present for a planned use of force.</b></p> <p>16 THE CHAIR: Thank you very much.</p> <p>17 <b>A. Thank you, chair.</b></p> <p>18 THE CHAIR: That's all my questions. So, yes, I agree</p> <p>19 we'll --</p> <p>20 MR ALTMAN: 2 o'clock?</p> <p>21 THE CHAIR: Thank you very much.</p> <p>22 MR ALTMAN: Thank you.</p> <p>23 (1.05 pm)</p> <p>24 (The short adjournment)</p> <p>25 (2.00 pm)</p> <p style="text-align: center;">Page 71</p>
<p>1 <b>A. No.</b></p> <p>2 THE CHAIR: They should be brief. You mentioned about being</p> <p>3 relieved following what was a sort of tiring use of</p> <p>4 force.</p> <p>5 <b>A. Yes, sir -- chair.</b></p> <p>6 THE CHAIR: Was that usual, or was that because this was</p> <p>7 a planned use of force and, therefore, there was</p> <p>8 a different level of exertion involved?</p> <p>9 <b>A. Was what usual? To be exhausted?</b></p> <p>10 THE CHAIR: Was it usual to be relieved after a use of</p> <p>11 force?</p> <p>12 <b>A. It would depend on the detainee, chair. I think they</b></p> <p>13 <b>had two teams prepared because they anticipated that</b></p> <p>14 <b>this detainee would be refractory, as they would put it.</b></p> <p>15 THE CHAIR: So, for example, the incident on 25 April</p> <p>16 involving D1527, do you remember being relieved</p> <p>17 following that incident at all, albeit that it was never</p> <p>18 reported as an official use of force.</p> <p>19 <b>A. No, chair. You'd be relieved if it was planned, but if</b></p> <p>20 <b>it was spontaneous, that was very rare.</b></p> <p>21 THE CHAIR: Thank you. Then just an observation from -- it</p> <p>22 is quite clear on the footage that the officers, the</p> <p>23 DCOs, are wearing what appear to be prison service issue</p> <p>24 uniforms. Is that just because that was the uniforms</p> <p>25 that were available to you as DCOs or DCMs?</p> <p style="text-align: center;">Page 70</p>	<p>1 MR ALTMAN: Chair, I will ask now that we play the debrief</p> <p>2 of the use of force that we saw just before we broke,</p> <p>3 which is disk 50, cam 2 of UoF 134.17.</p> <p>4 (Video played)</p> <p>5 MR ALTMAN: There we are. Is that the sort of thing that</p> <p>6 typically happened after a use of force?</p> <p>7 <b>A. Yes, sir.</b></p> <p>8 Q. Before I go on to look at a couple of documents, did you</p> <p>9 have any concerns before that use of force, particularly</p> <p>10 as you were the shield officer, given the known physical</p> <p>11 health issues that that man had?</p> <p>12 <b>A. Yes, sir.</b></p> <p>13 Q. What were your concerns?</p> <p>14 <b>A. That he would have a heart attack. It was stressful,</b></p> <p>15 <b>because, on the one hand, you were being told about</b></p> <p>16 <b>somebody who has got a conviction for attempted murder</b></p> <p>17 <b>and is not going to comply, and so you are anticipating</b></p> <p>18 <b>having to use the shield, but then this is someone who's</b></p> <p>19 <b>had some serious heart problems, so serious that he's --</b></p> <p>20 <b>you know, previous attempts to remove him have failed.</b></p> <p>21 <b>So, yeah, very worried.</b></p> <p>22 Q. We saw healthcare there, though, didn't we?</p> <p>23 <b>A. Yes, sir.</b></p> <p>24 Q. You will remember, when you all go into the room, he is</p> <p>25 on the bed and, if my memory serves me, one of the</p> <p style="text-align: center;">Page 72</p>

<p>1 officers asks for healthcare to check him out, first of</p> <p>2 all, because he was holding his chest?</p> <p>3 <b>A. Yes, sir. So we never used the shield on him because</b></p> <p>4 <b>immediately he appeared to have a sort of problem with</b></p> <p>5 <b>his heart and was in some pain -- well, it certainly</b></p> <p>6 <b>appeared to be the case.</b></p> <p>7 Q. Are you saying, from your perspective, you don't think</p> <p>8 use of force should ever have been used in that</p> <p>9 situation, or are you telling us that you had a personal</p> <p>10 concern because of his physical health?</p> <p>11 <b>A. I just had a personal concern, sir, given that the nurse</b></p> <p>12 <b>assessed him and gave it the all clear, then I don't --</b></p> <p>13 <b>who am I to say the nurse is wrong?</b></p> <p>14 Q. Let's look at the use of force DCF 2 form, &lt;CJS005651&gt;,</p> <p>15 if we can put that up on screen, please. It is familiar</p> <p>16 to us now. Use of force commenced 21:30, completed</p> <p>17 21:47. Log number 134/17. We know the date. The</p> <p>18 individual's name and details are given. A hand-held</p> <p>19 camcorder was used. Body-worn camera, no, but that</p> <p>20 appears to be wrong, doesn't it, because I think what we</p> <p>21 had -- or what we are told we have is body-worn camera</p> <p>22 footage?</p> <p>23 <b>A. No, sir. The footage was being hand-held.</b></p> <p>24 Q. Oh, it wasn't body-worn camera?</p> <p>25 <b>A. No, sir. You can see, although it's very brief, so it's</b></p> <p style="text-align: center;">Page 73</p>	<p>1 "The current situation is that detainee: D1914.</p> <p>2 "Is currently in: C 011.</p> <p>3 "... Has escorted RD's [28 May] to Romania ..."</p> <p>4 "RD's"?</p> <p>5 <b>A. Removal directions:</b></p> <p>6 Q. "... and is refusing to go and refusing to relocate onto</p> <p>7 Eden wing. The estimated pick-up time is 09:00 which is</p> <p>8 during the regime time, hence why the move needs to be</p> <p>9 done before.</p> <p>10 "Despite extensive negotiations ...</p> <p>11 "It has not been possible to resolve the situation</p> <p>12 peacefully."</p> <p>13 We can see that this is -- it looks like it is</p> <p>14 a pro forma type of document where you just fill out the</p> <p>15 blanks. Is that right?</p> <p>16 <b>A. It would appear so, sir, yes. I've not seen one of</b></p> <p>17 <b>these before.</b></p> <p>18 Q. You have not seen one of these before. Then you have,</p> <p>19 at the bottom, the plan. Then on the next page, please,</p> <p>20 the brief towards the top:</p> <p>21 "The plan is to go to C 011 and speak to D1914 ...</p> <p>22 disabled room ... currently on the right bed ... view</p> <p>23 will be obstructed by the shower curtains ..." and so on</p> <p>24 and so forth.</p> <p>25 Right at the bottom of that page:</p> <p style="text-align: center;">Page 75</p>
<p>1 <b>quite easy to miss, in my secret camera footage, I turn</b></p> <p>2 <b>to my left slightly when there's that long sort of</b></p> <p>3 <b>ten-minute pause before he's actually restrained, and</b></p> <p>4 <b>you can see Nathan Ring holding the camera.</b></p> <p>5 Q. Certainly if you see the CCTV, where he's walked out,</p> <p>6 you can see Nathan Ring holding a camcorder. Certainly</p> <p>7 the way this material has come to us, it calls itself</p> <p>8 "BWC", body-worn camera footage, but you're saying this</p> <p>9 is camcorder?</p> <p>10 <b>A. Yes, sir.</b></p> <p>11 Q. We can see that the reason for force being used on the</p> <p>12 front sheet is to prevent self-harm, maintain good order</p> <p>13 and discipline. Planned use of force; detainee on ACDT;</p> <p>14 the location and the relocation are given, from C wing</p> <p>15 to cell 7 on E wing. The contact in the box below, and</p> <p>16 we have the usual forms that follow, and I don't think</p> <p>17 we need to go to them, but one thing I am going to ask</p> <p>18 to do, please, is look at something we have not seen</p> <p>19 before on page -- because my pagination is not</p> <p>20 paginated, I'm going to have to count it. Page 8,</p> <p>21 I think it is. We will see a briefing script. Now,</p> <p>22 this is the briefing, not the debrief that we just saw,</p> <p>23 so this is a briefing before:</p> <p>24 "I am S Dix."</p> <p>25 It is 27 May:</p> <p style="text-align: center;">Page 74</p>	<p>1 "... significant history of previous self-harm ...</p> <p>2 medical issues to do with his heart ... previously had</p> <p>3 a heart attack ... double heart bypass in November ...</p> <p>4 also has medical letters to say he is due another</p> <p>5 operation in August. We have liaised closely with our</p> <p>6 onsite healthcare and in particular Dr Hussain who has</p> <p>7 stated and written a letter confirming D1914 is fit to</p> <p>8 be detained, fit to fly and fit to have force used on</p> <p>9 him."</p> <p>10 So it looks as if there was medical sign-off, even</p> <p>11 before the actual use of force:</p> <p>12 "We will have healthcare present throughout and also</p> <p>13 the medical evac chair, this will purely be for if D1914</p> <p>14 becomes [compliant] and requires medical assistance by</p> <p>15 way of the chair to Eden wing."</p> <p>16 So that's a brief. If you look at the next page, it</p> <p>17 appears as if this is a script which Steve Dix must have</p> <p>18 read out to everyone because, at the end, it says,</p> <p>19 "Questions". You being one of the officers, do you</p> <p>20 remember being at this briefing?</p> <p>21 <b>A. I can remember it, but not very clearly.</b></p> <p>22 Q. But it's the sort of thing, perhaps, that you were</p> <p>23 accustomed to?</p> <p>24 <b>A. Yes, sir.</b></p> <p>25 Q. It's certainly got your name as one of the officers who</p> <p style="text-align: center;">Page 76</p>

<p>1 was present. Thank you.</p> <p>2 Let's move on, then, please, to something else.</p> <p>3 This is an incident which took place on 14 June where</p> <p>4 D1275 had a spice attack and was attended to by</p> <p>5 healthcare and then mocked by Nathan Ring. You were</p> <p>6 asked about this and to give a narrative account about</p> <p>7 it. You said you didn't know much of the background,</p> <p>8 but you responded to the medical emergency called to</p> <p>9 D wing after a detained man had taken drugs. You said</p> <p>10 you didn't know if he had a long history of drug use and</p> <p>11 you didn't know how much of the drug he would likely</p> <p>12 have taken. You didn't know for certain whether or not</p> <p>13 he had taken spice, but his behaviour mirrored that of</p> <p>14 other detainees who took spice, and since the use of</p> <p>15 spice was so widespread at Brook House, you felt it was</p> <p>16 a reasonable assumption for staff to make; yes?</p> <p>17 <b>A. Mmm-hmm.</b></p> <p>18 Q. You said medical emergencies being called because</p> <p>19 a detainee had taken too much spice were common</p> <p>20 occurrence at Brook House, so this incident was no</p> <p>21 surprise, and during the course of it, you said</p> <p>22 a manager advised you to get an evac chair for 1275, but</p> <p>23 there wasn't one in the evacuation chair area, and so</p> <p>24 you went to the healthcare department to see if they</p> <p>25 could give you one, but there were no healthcare staff</p> <p style="text-align: right;">Page 77</p>	<p>1 <b>A. I think DCM Nick London was also there. A DCO called</b></p> <p>2 <b>Mark, whose second name I can't remember, was also</b></p> <p>3 <b>there. DCO Aaron Stokes appears to be there as well.</b></p> <p>4 <b>And DCM Steve Dix. And a nurse.</b></p> <p>5 Q. And a nurse. Thank you. Can we go on to 10:20, please.</p> <p>6 Now he's being taken back to the wing; is that right?</p> <p>7 <b>A. To E wing, yes.</b></p> <p>8 Q. Where was the courtyard? Which wing was that off?</p> <p>9 <b>A. D wing courtyard.</b></p> <p>10 Q. D wing, thank you.</p> <p>11 (Video played)</p> <p>12 MR ALTMAN: Thank you. Let's forward to 25:10, please.</p> <p>13 (Video played)</p> <p>14 MR ALTMAN: Can we go on to the next clip, please,</p> <p>15 V2017061400016, and start that, please, at the</p> <p>16 beginning.</p> <p>17 (Video played)</p> <p>18 MR ALTMAN: Thank you. Can you wind it forward now to</p> <p>19 11 minutes, 11:07, thank you.</p> <p>20 (Video played)</p> <p>21 MR ALTMAN: Can we put up, please, transcript &lt;TRN0000015&gt;</p> <p>22 at page 21. Chair, divider 62 for you. We haven't</p> <p>23 played it all, so some of this may have been missed.</p> <p>24 When we get the transcript up, we will see on page 21,</p> <p>25 you will remember right at the top an officer called</p> <p style="text-align: right;">Page 79</p>
<p>1 present. So were you able to get the evac chair down</p> <p>2 to -- it was down to the courtyard, I think, wasn't it?</p> <p>3 <b>A. Yes, sir. I couldn't find one -- not in healthcare or</b></p> <p>4 <b>in the evac chair position.</b></p> <p>5 Q. Eventually, 1275 was taken to a room, during which, as</p> <p>6 we will see, DCO Derek Murphy says, "I have no sympathy</p> <p>7 for him. If he dies, he dies". There was a nurse in</p> <p>8 attendance. There was conversation between nurse and</p> <p>9 you regarding the possibility of a detained man dying</p> <p>10 through spice use, and there were several mocking-type</p> <p>11 comments by Nathan Ring, who was also present. Is that</p> <p>12 right?</p> <p>13 <b>A. Yes, sir.</b></p> <p>14 Q. Now, we have not viewed this footage before, and I am</p> <p>15 going to ask the evidence handler, please, to put up</p> <p>16 KENCOV1035, and I am only going to play individual parts</p> <p>17 of it. So KENCOV1035 V2017061400015. We will start at</p> <p>18 the beginning and work our way to 4 minutes and then</p> <p>19 I will ask you to stop and start again at a different</p> <p>20 place.</p> <p>21 (Video played)</p> <p>22 MR ALTMAN: Okay, thank you. Who was there, Mr Tulley? Did</p> <p>23 you recognise anybody?</p> <p>24 <b>A. DCM Steve Loughton was there.</b></p> <p>25 Q. Who else?</p> <p style="text-align: right;">Page 78</p>	<p>1 Hayley says, "Where did Nobby go" and you referred to</p> <p>2 "Nobby" earlier as Steve Loughton. Right at the bottom,</p> <p>3 you have Derek Murphy saying:</p> <p>4 "I've no sympathy for them, absolutely no sympathy</p> <p>5 for them at all."</p> <p>6 And at the top of the right page:</p> <p>7 "If he dies, he dies."</p> <p>8 You will remember the exact same words that</p> <p>9 Dave Webb used a few days before?</p> <p>10 <b>A. Yes, sir.</b></p> <p>11 Q. Then, please, another transcript, &lt;TRN0000016&gt;, please.</p> <p>12 Chair, divider 63 for you. Page 1. A continuation. We</p> <p>13 saw at the top, you will remember, on the subtitling and</p> <p>14 we heard:</p> <p>15 "Hurry up and get to the chorus. I know that bit."</p> <p>16 On the second page, at line 15, Nathan Ring calling</p> <p>17 him a "div", and then at line 35, "scrotum". Page 3, at</p> <p>18 line 33:</p> <p>19 "I'll get him cold water, that will sort his heart</p> <p>20 out, that will do it the world of good."</p> <p>21 Do you see that?</p> <p>22 <b>A. "Bucket of cold water" is actually what he says.</b></p> <p>23 Q. A bucket?</p> <p>24 <b>A. Yes.</b></p> <p>25 Q. At line 89, "hairy ball sack" and then finally on</p> <p style="text-align: right;">Page 80</p>

<p>1 page 4, "div" and somebody whose attribution is</p> <p>2 staffer 3, "ball sack". Do you know who said that?</p> <p>3 <b>A. No, sir.</b></p> <p>4 Q. Thank you. Let's then move to comments which you recall</p> <p>5 Dan Small making on 14 June. You deal with this in your</p> <p>6 inquiry statement at paragraph 185 and paragraph 186.</p> <p>7 Let me remind you what you say:</p> <p>8 "I have already referred to incidences of staff</p> <p>9 making racist comments."</p> <p>10 As you have already told us:</p> <p>11 "There was a generally high level of anti-immigrant</p> <p>12 rhetoric amongst staff. On 14 June 2017, I had</p> <p>13 a conversation with Dan Small after the Grenfell fire</p> <p>14 ..."</p> <p>15 Which happened to take place on that day; yes?</p> <p>16 <b>A. Yes, sir.</b></p> <p>17 Q. "... in which Dan had said, 'Oh, well, at least that's</p> <p>18 a few less foreigners in England'."</p> <p>19 You said your camera wasn't on when he said that,</p> <p>20 but you made a note in your notebook, and we have that.</p> <p>21 I'm not going to pull it up because that's what you say,</p> <p>22 but for the transcript, it's page 20 of &lt;BBC000060&gt;.</p> <p>23 You said you were shocked by his comment because you'd</p> <p>24 never heard him use abusive or racist language or, in</p> <p>25 fact, mistreat detainees?</p> <p style="text-align: center;">Page 81</p>	<p>1 "Eh?</p> <p>2 "Spot the white person when you go to London, it</p> <p>3 will never happen. I would never, ever move to London."</p> <p>4 You say:</p> <p>5 "What? There's too many blacks?"</p> <p>6 And he says:</p> <p>7 "No, it's just too busy for me, mate. It's</p> <p>8 overpopulated. It's overexpensive. Minority white</p> <p>9 people."</p> <p>10 And then somebody else talks about "Chinamen" and</p> <p>11 "cute little Chinamen". Do you know who the other</p> <p>12 person was?</p> <p>13 <b>A. No, sir.</b></p> <p>14 Q. Then the next transcript page would be page 50, please.</p> <p>15 This just shows, as you said, you having filmed it, and</p> <p>16 it was captured on film and it's been transcribed at</p> <p>17 page 50. There's obviously a discussion about</p> <p>18 foreigners, and at line 1609 you say:</p> <p>19 "Exactly, you are not English. Should the country</p> <p>20 be better off without them, then, do you?"</p> <p>21 He says:</p> <p>22 "Yeah. I certainly do that."</p> <p>23 He said:</p> <p>24 "This job has made me racist ... this job has made</p> <p>25 me racist."</p> <p style="text-align: center;">Page 83</p>
<p>1 <b>A. Yes, sir.</b></p> <p>2 Q. Then you say at the end of that shift, "when we were</p> <p>3 returning our radios in the gatehouse" you raised the</p> <p>4 death toll at Grenfell again and Dan again referred to</p> <p>5 the fact they were all foreigners and you asked him</p> <p>6 whether he felt the country would be better off without</p> <p>7 foreigners and he said yes?</p> <p>8 <b>A. Yes, sir. By this time, I had begun filming.</b></p> <p>9 Q. Because he also said that the job at Brook House had</p> <p>10 made him racist?</p> <p>11 <b>A. Yes, sir.</b></p> <p>12 Q. What you took from that was he was saying that he had</p> <p>13 grown to dislike the detained men he was working with</p> <p>14 and that this had found expression through prejudice, is</p> <p>15 the way you put it?</p> <p>16 <b>A. Yes, sir.</b></p> <p>17 Q. If we look at another transcript, please -- chair,</p> <p>18 tab 66 -- &lt;TRN0000092&gt; at page 21. Still on 14 June,</p> <p>19 page 21. Let's take it from the top. Dan Small says:</p> <p>20 "What's up, bro?"</p> <p>21 You say to him:</p> <p>22 "Do you not like London?"</p> <p>23 "Absolutely not.</p> <p>24 "Why not?"</p> <p>25 "Spot the white person when you go to London ..."</p> <p style="text-align: center;">Page 82</p>	<p>1 So that's what you recall and obviously what you</p> <p>2 captured. Thank you. Enough of that. Let's move on to</p> <p>3 another occasion and another individual, D149, who had</p> <p>4 taken spice on 15 June 2017. Let's just have a look,</p> <p>5 please, at another transcript that we have -- chair,</p> <p>6 tab 73 -- &lt;TRN0000069&gt;. This is a video diary</p> <p>7 transcript, and I want to ask you about this, please.</p> <p>8 Page 5. It is the bottom half, where you say:</p> <p>9 "Sure, yes."</p> <p>10 The video diary is of 15 June, so it is the day</p> <p>11 after obviously 14 June, which we were just looking at</p> <p>12 in relation to Dan Small, and it comes several days</p> <p>13 after we had the other spice incident with D1275:</p> <p>14 "So this detainee, it's the third detainee I've seen</p> <p>15 on spice, he's admitted into E wing to be monitored.</p> <p>16 I continue going down the corridor back towards the</p> <p>17 library and, when I get back, healthcare have arrived</p> <p>18 and they're seeing to him. And the usual jokes, the</p> <p>19 usual smears from the managers and the officers can be</p> <p>20 heard. Only you notice healthcare aren't actually</p> <p>21 laughing this time. They know, they're aware, that</p> <p>22 something quite serious is happening. This detainee,</p> <p>23 this Kosovan detainee, he's coming in and out of</p> <p>24 consciousness. His heart rate is going through the roof</p> <p>25 and then it's plummeting dramatically. He is not in</p> <p style="text-align: center;">Page 84</p>

<p>1 a good way at all. And it's probably one of the worst</p> <p>2 spice attacks I've seen in the whole two years that I've</p> <p>3 been there. He was fitting. He was having seizures.</p> <p>4 He was frothing at the mouth. He was being sick. Every</p> <p>5 possible reaction you can have to spice it appeared that</p> <p>6 he was having. And it was not a pretty sight and ..."</p> <p>7 And I'm just going to paraphrase. In the next</p> <p>8 paragraph:</p> <p>9 "... it got so bad that healthcare said 'We need to</p> <p>10 call an ambulance' ..."</p> <p>11 A few lines down:</p> <p>12 "... in the end, the paramedics who arrived, they</p> <p>13 injected him with some sort of thing, they got the</p> <p>14 defibrillator out, I'm not sure they used that on him."</p> <p>15 Then towards the bottom:</p> <p>16 "One of the managers, Michelle, and a couple of</p> <p>17 the nurses, whilst they were seeing to this Kosovan</p> <p>18 detainee, they were saying 'It's only a matter of time</p> <p>19 before someone is taken out in a body bag because of</p> <p>20 their reaction to spice'. And I said to the nurse, 'Do</p> <p>21 you really think someone is going to die here?' and she</p> <p>22 said 'It's only a matter of time. It is only a matter</p> <p>23 of time before someone there dies!'"</p> <p>24 Did you feel -- the impression one gets from this</p> <p>25 is, this was a particularly serious incident of a spice</p> <p style="text-align: center;">Page 85</p>	<p>1 tape, bag 'em, job done.</p> <p>2 "Just tape over the mouth, bag over the head ..."</p> <p>3 Sean Sayers:</p> <p>4 "Build a plane like that ..."</p> <p>5 You're talking about the film "Con Air", obviously,</p> <p>6 and Harris says:</p> <p>7 "Don't tell me you haven't ..."</p> <p>8 And Sean Sayers says:</p> <p>9 "Don't tell me you haven't seen that?"</p> <p>10 A little further down, at line 253:</p> <p>11 "I was just saying to these guys do what they do in</p> <p>12 Con Air, just fucking tape 'em and bag em."</p> <p>13 Murphy says:</p> <p>14 "... in America ... in America, put them in the</p> <p>15 chair, facing the wall ... they can't fucking move.</p> <p>16 "They've got cuffs on the arms and that, haven't</p> <p>17 they [says Harris]?"</p> <p>18 "Derek Murphy: When it comes to taking them out,</p> <p>19 can't even walk and they're crying ... put them in</p> <p>20 a chair", and so on.</p> <p>21 What did you make of that conversation? Was it just</p> <p>22 some banter or was it an insight into some of</p> <p>23 the culture there?</p> <p>24 <b>A. Well, this is the kind of stuff that was seen as banter,</b></p> <p>25 <b>but using kind of -- I found that using violent language</b></p> <p style="text-align: center;">Page 87</p>
<p>1 attack, given everything that you describe. But did you</p> <p>2 feel that when you were told, as you were, that it was</p> <p>3 only a matter of time, that that was not joking, but</p> <p>4 serious?</p> <p>5 <b>A. Yes, sir. It wasn't the first time a member of</b></p> <p>6 <b>the medical team had made such comments.</b></p> <p>7 Q. In fact, you're absolutely right because there was</p> <p>8 another occasion when I think a medical staffer says,</p> <p>9 "Only when one gets carried out in a body bag will they</p> <p>10 learn". Do you remember one of the medical staffers</p> <p>11 telling you that?</p> <p>12 <b>A. Yes, sir.</b></p> <p>13 Q. We don't have to go to the transcript because you've</p> <p>14 confirmed it. Let's move on, then, please, to officers</p> <p>15 joking on 20 June that detainees being deported by air</p> <p>16 should have tape over their mouth or a bag over their</p> <p>17 head. Do you remember that? Again, we can look at</p> <p>18 a transcript of that. It's B/75 for you, chair,</p> <p>19 20 June, as I say, at page 10, &lt;TRN0000084&gt; at page 10,</p> <p>20 please. At the top, somebody called Nathan Harris. Who</p> <p>21 was he?</p> <p>22 <b>A. He was a DCO who I think by this time was acting up as</b></p> <p>23 <b>a DCM, sir. In fact, I think by this time, he was</b></p> <p>24 <b>a DCM.</b></p> <p>25 Q. "I reckon they should do what they do on Con Air masking</p> <p style="text-align: center;">Page 86</p>	<p>1 <b>in that environment, when there's a power imbalance</b></p> <p>2 <b>between staff and detainees, was harmful and dangerous.</b></p> <p>3 Q. We have touched on it before, moving on to the incident</p> <p>4 on 4 July where officers took two minutes to remove the</p> <p>5 ligature from D865's neck. Do you remember?</p> <p>6 <b>A. Yes, sir.</b></p> <p>7 Q. I will just have you confirm, Mr Tulley, we have looked</p> <p>8 at your witness statement, it is also dealt with in the</p> <p>9 BBC's incident log, which is &lt;CJS000025&gt;, which is the</p> <p>10 log of notes that were taken during the course of your</p> <p>11 debriefs by BBC producers. That's at page 37.</p> <p>12 But I think we can very briefly look at the</p> <p>13 transcript for that incident. Chair, it's behind</p> <p>14 divider 79. It's on page 2. It is transcript reference</p> <p>15 &lt;TRN0000033&gt;. You see at line 21 -- so this is that</p> <p>16 incident, Mr Tulley:</p> <p>17 "Callum Tulley: Has he tied something to the ..."</p> <p>18 This is what you were telling us a little earlier,</p> <p>19 although I use it as an example of -- do you remember</p> <p>20 when Chris Donnelly had said in relation to D687, "We'll</p> <p>21 wait a minute until you pass out"? But here is the</p> <p>22 transcript, Donnelly saying:</p> <p>23 "No, it's not around his neck."</p> <p>24 And you saying:</p> <p>25 "No, but what's that tied around the actual</p> <p style="text-align: center;">Page 88</p>

<p>1 bracket?"</p> <p>2 And then:</p> <p>3 "Do you want a fish knife? ... here you are, use</p> <p>4 it."</p> <p>5 And then a fish knife is what he produces from his</p> <p>6 belt and cuts the shoestring/cable, according to what</p> <p>7 the transcript says, from D865's neck and discards it on</p> <p>8 the ground. He says:</p> <p>9 "That's all I need."</p> <p>10 And you say:</p> <p>11 "Oh, that will help him."</p> <p>12 And a medical staffer says:</p> <p>13 "Need to get some air in him."</p> <p>14 So that was the situation you were talking about,</p> <p>15 and your complaint about that is, although we don't get</p> <p>16 that from the transcript, it took some two minutes for</p> <p>17 Donnelly to decide to remove the ligature from the man's</p> <p>18 neck?</p> <p>19 <b>A. Yes, sir. I had to point it out to him so he would</b></p> <p>20 <b>remove the ligature.</b></p> <p>21 Q. If you hadn't?</p> <p>22 <b>A. Who knows?</b></p> <p>23 Q. Finally, insofar as incidents are concerned, is 6 July,</p> <p>24 and so, chair, as, perhaps, the final hurrah for</p> <p>25 Mr Tulley, perhaps we can have that after our</p> <p style="text-align: right;">Page 89</p>	<p>1 MR ARMSTRONG: Sorry, chair and Mr Altman, we have not got</p> <p>2 any of our screens working on this side of the room.</p> <p>3 MR ALTMAN: I will wait for a moment.</p> <p>4 (Pause). Chair, would you rise for a moment,</p> <p>5 please?</p> <p>6 THE CHAIR: Yes.</p> <p>7 (3.18 pm)</p> <p>8 (A short break)</p> <p>9 (3.26 pm)</p> <p>10 MR ALTMAN: Chair, I understand the position is, unhappily,</p> <p>11 the bank of screens behind me hasn't been fixed. I'm</p> <p>12 sure it will be fixed overnight. But everybody has</p> <p>13 kindly said that they are happy to continue.</p> <p>14 For everybody's record, the document, let me remind</p> <p>15 you, which we have up is &lt;CJS005347&gt;. We are on page 2.</p> <p>16 It reads this way:</p> <p>17 "D1275 appears not to be in a positive ..."</p> <p>18 Unfortunately the right-hand side of the page falls</p> <p>19 off, so some of the time I'm going to have to guess at</p> <p>20 the word:</p> <p>21 "... positive mental state and seems to be</p> <p>22 vulnerable and I believe has been taken advantage of on</p> <p>23 C wing. I believe that people are [something missing]</p> <p>24 him as a kind ..."</p> <p>25 "Using", perhaps:</p> <p style="text-align: right;">Page 91</p>
<p>1 mid-afternoon break?</p> <p>2 THE CHAIR: I suggest we return at 3.10 pm.</p> <p>3 MR ALTMAN: Yes, thank you.</p> <p>4 (2.55 pm)</p> <p>5 (A short break)</p> <p>6 (3.15 pm)</p> <p>7 MR ALTMAN: Mr Tulley, before I move on to 6 July, there was</p> <p>8 one thing that I omitted to ask you about D1275. Can we</p> <p>9 put up on screen, please, &lt;CJS005347&gt;. Chair, you will</p> <p>10 find it in your slim bundle, if you have one, and, if</p> <p>11 not, at tab 106.</p> <p>12 Have you ever seen one of these before? It is</p> <p>13 a Detention Services security information report, or</p> <p>14 a SIR?</p> <p>15 <b>A. Yes, sir.</b></p> <p>16 Q. If we look down the document, there are a number of</p> <p>17 entries, which are pro forma in nature. Under "Audit</p> <p>18 trail", it was opened by Marina Mansi. Do you know who</p> <p>19 she is?</p> <p>20 <b>A. Yes, sir.</b></p> <p>21 Q. Who was she?</p> <p>22 <b>A. She was a DCO, sir.</b></p> <p>23 Q. We can see, on the right-hand side, it was opened by her</p> <p>24 on 22 June. If we go to the next page, please, there is</p> <p>25 an entry that is made by her, we will see --</p> <p style="text-align: right;">Page 90</p>	<p>1 "... using him as a kind of 'guinea pig' to try out</p> <p>2 drugs as I have seen him socialise with detainees known</p> <p>3 to be active drug [use/user] dealers. Also at one point</p> <p>4 he was cleaning the tables downstairs and he isn't</p> <p>5 a cleaner so having questioned a roommate about this his</p> <p>6 roommate says that there are detainees getting him to do</p> <p>7 the cleaning while they get ...?</p> <p>8 <b>A. "Pay", I imagine:</b></p> <p>9 Q. "... and in return giving him biscuits and other food</p> <p>10 items. He heard this from his roommate. Have also seen</p> <p>11 people take [perhaps] his cutlery and plates whilst at</p> <p>12 the food queue and him [something -- 'not saying</p> <p>13 anything' presumably]. D1275 has been seen [something]</p> <p>14 by as a messenger ..."</p> <p>15 "Used by"? Probably not:</p> <p>16 "... by several detainees not on this wing where</p> <p>17 they have treated him in an abusive earn often clutching</p> <p>18 him by the neck and forcing him to go back and forth</p> <p>19 with messages and was seen by another officer being</p> <p>20 asked to get a phone and demanding for this phone for</p> <p>21 another detainee. We don't feel that he is aware of</p> <p>22 some [perhaps] decisions that he makes and he does get</p> <p>23 along with the Iranians in room C019 and his roommate</p> <p>24 does try to look [possibly] for him but we do think he</p> <p>25 could possibly be taken advantage of.</p> <p style="text-align: right;">Page 92</p>

<p>1 "This concludes my report."  2 If we look at the next page, we will see it was  3 Marina Mansi who made it at quarter past 3, 13 minutes  4 past 3, perhaps, in the afternoon.  5 Were you aware that 1275 was used as a guinea pig  6 for drugs and was taken advantage of in the way that  7 this report suggests?  8 <b>A. No, sir.</b>  9 Q. He was clearly a vulnerable man?  10 <b>A. Yes, sir.</b>  11 Q. Perhaps not unlike the young boy who was eventually  12 moved out by social services, who was suspected of being  13 under 18, who was also, as you told us, used as a guinea  14 pig. Was that something that happened to young and  15 vulnerable being used in that way?  16 <b>A. Yes, sir.</b>  17 Q. And anything done to stop it?  18 <b>A. No, sir. Apart from reports like this.</b>  19 Q. But what would happen? There is a report. Terrific.  20 We have got a report. What happens to the report? What  21 is done about it?  22 <b>A. Well, I imagine the report was made with the hope that</b>  23 <b>he would be closely monitored and staff would look out</b>  24 <b>for him, the security department would keep an eye on</b>  25 <b>him. But whether that would happen, I have no idea.</b></p> <p style="text-align: center;">Page 93</p>	<p>1 Q. Where were you at the time when that was taking place?  2 Which wing? Where were you?  3 <b>A. Solitary confinement block, sir.</b>  4 Q. CSU?  5 <b>A. Yes, sir.</b>  6 Q. Your understanding, and I take this from your  7 contemporary diaries -- just for the record, &lt;BBC000061&gt;  8 at pages 7 to 9, and also the BBC's incident log,  9 &lt;CPS000025&gt; at pages 37 to 38. Your understanding was  10 that D728 had been protesting on the suicide netting on  11 his wing the previous night because he hadn't received  12 his medication?  13 <b>A. Correct.</b>  14 Q. You didn't know what meds he was on or whether he was  15 meant to be provided with it the previous night, and you  16 said you didn't know if he had any mental health  17 problems, though in the clip that we saw, he suggests  18 that he does; yes?  19 <b>A. Yes, sir.</b>  20 Q. As a consequence of jumping on the netting, he was  21 placed on the block, as you've told us, on constant  22 supervision, and in the clip you were the member of  23 staff responsible for observing him, as we saw, and he  24 kept covering the viewing panel of his cell door with  25 tissue paper, making it difficult for you to see him.</p> <p style="text-align: center;">Page 95</p>
<p>1 <b>Certainly didn't see much evidence of that whilst I was</b>  2 <b>at Brook House.</b>  3 Q. Well, who took responsibility for this information  4 report? We can see, if we go back to the first page,  5 that Marina Mansi initiates it. The security analyst at  6 section B appears to have signed. A security manager's  7 recommendations have been made, director designated  8 manager comments and security office actions. They are  9 all dated the 22nd, in the case of the initiation, and  10 the rest 23 June. Indeed, the security office actions  11 is timed and dated 4 July. But there is nothing else  12 here to tell us what happens with it. It looks like  13 it's gone through a lot of people's hands, but what's  14 actually happened and what the outcomes are certainly is  15 not recorded in this document, as far as we can tell,  16 assuming it's complete?  17 <b>A. That's right, sir.</b>  18 Q. All right. You can't help?  19 <b>A. Afraid not.</b>  20 Q. Finally, 6 July. This is something that we did see  21 during the course of the opening statement. It relates  22 to another individual, D728, in a cell, shouted at by  23 Charlie Francis and Steve Webb. This was a detained man  24 that you were keeping constant supervision of?  25 <b>A. Yes, sir, in solitary confinement.</b></p> <p style="text-align: center;">Page 94</p>	<p>1 Because of that, you asked for a manager to come down --  2 do you remember? --  3 <b>A. Yes, sir.</b>  4 Q. -- to advise you on what to do because you knew it was  5 important to continue observing him and he was  6 instructing the view?  7 <b>A. Yes, sir.</b>  8 Q. The control sent DCM Steve Webb, yes? Charlie Francis  9 accompanied him, and the rest of the incident followed.  10 Also, I think, was there an argument with 728 which  11 followed regarding shop opening hours, and the detained  12 man wishing to take a shower? Do you remember that?  13 And he complaining that he didn't have his medication --  14 you have already said that -- and then the staff who  15 were there leave the room, but he continued to cover the  16 observation hatch and staff members began shouting and  17 swearing at him. One of the officers goes back into the  18 room. Who was that? Do you remember? Was it Steve --  19 one of the Steves? Steve Webb or somebody else who went  20 back in?  21 <b>A. I'd have to look back over, sir. Sorry, it's been</b>  22 <b>a while.</b>  23 Q. There's a conversation between that officer and D728  24 regarding the medication. The incident -- I think it  25 was Steve Skitt that goes in towards the end with D728</p> <p style="text-align: center;">Page 96</p>



<p>1 on the netting and D728 trying to hang himself. Maybe</p> <p>2 I've got that wrong again.</p> <p>3 <b>A. It's a different Steve, sir.</b></p> <p>4 Q. A different Steve. I keep on thinking everybody is</p> <p>5 Steve Skitt, but obviously it is not.</p> <p>6 We have played the clip before, and so I'm not going</p> <p>7 to play it now, but what I am going to ask you to do is</p> <p>8 to look at some transcripts for us, please. Chair, for</p> <p>9 you, divider 85 of your volume. It is &lt;TRN0000017&gt;,</p> <p>10 please, at page 11. On the screen is page 11, and at</p> <p>11 line 6 you're talking to Aaron Stokes:</p> <p>12 "How do you deal with someone like that?"</p> <p>13 And Stokes's reply was?</p> <p>14 <b>A. "Chin him!"</b></p> <p>15 Q. "Chin him". Who was the "How d'you deal with someone</p> <p>16 like that"?</p> <p>17 <b>A. I was referring to --</b></p> <p>18 Q. 728?</p> <p>19 <b>A. Yes, sir, D728, yes.</b></p> <p>20 Q. The next transcript, tab 86, is &lt;TRN0000018&gt; at page 5.</p> <p>21 This is a slight diversion, in the sense that it covers</p> <p>22 two detained men because there is reference here to</p> <p>23 D1914, who, we saw in the earlier clip, had been taken</p> <p>24 onto E wing on 27 May, but it also refers to D728, the</p> <p>25 man that we are talking about now. I think what was</p> <p style="text-align: center;">Page 97</p>	<p>1 restraint that we saw, to remind everyone, was 27 May.</p> <p>2 So some weeks have moved on. At the bottom of, in fact,</p> <p>3 page 4, but we don't need to look at it, at the bottom</p> <p>4 you ask him to turn around. He says:</p> <p>5 "I'm okay ..."</p> <p>6 You say, "Mad!". Is that because you're looking at</p> <p>7 his injuries?</p> <p>8 <b>A. I'm getting him to show me his injuries, sir, yes.</b></p> <p>9 Q. And he makes a quip on page 5:</p> <p>10 "This is the life!"</p> <p>11 And you respond in kind:</p> <p>12 "Oh, you've done it in the other neck as well?"</p> <p>13 Jesus."</p> <p>14 He said:</p> <p>15 "I'm lucky, because I'm no die."</p> <p>16 You said:</p> <p>17 "You didn't die? Did you think you might die?"</p> <p>18 "Yeah, I think ..."</p> <p>19 You ask him if he lost a lot of blood and he says at</p> <p>20 the top of page 5:</p> <p>21 "Too much blood. Yesterday morning is coming</p> <p>22 blood."</p> <p>23 Then a little further down, the conversation changes</p> <p>24 because at that point you're talking to somebody who is</p> <p>25 called staffer 1:</p> <p style="text-align: center;">Page 99</p>
<p>1 going on here was, on this day -- this is 6 July. Some</p> <p>2 time has moved on. D1914 had self-harmed in the</p> <p>3 meantime; is that correct?</p> <p>4 <b>A. Yes, sir.</b></p> <p>5 Q. Here you were, talking to him, I think, on the wing. So</p> <p>6 we are clear, where were you at this point? Was it</p> <p>7 E wing or CSU?</p> <p>8 <b>A. E wing, sir.</b></p> <p>9 Q. That's where he had been taken to, presumably, after</p> <p>10 he'd self-harmed, he'd been taken back there?</p> <p>11 <b>A. Yes, sir. We had moved him to E wing during the</b></p> <p>12 <b>restraint, as you know, and then he was meant to go on</b></p> <p>13 <b>a flight.</b></p> <p>14 Q. Yes.</p> <p>15 <b>A. He was taken to the plane, but the pilot refused to fly</b></p> <p>16 <b>him, so he was returned back to Brook House.</b></p> <p>17 Q. Was that because of his heart problem?</p> <p>18 <b>A. Yes, sir. He was put back on E wing. Then he had</b></p> <p>19 <b>submitted a bail application. His bail was refused.</b></p> <p>20 <b>And that led to the self-harming.</b></p> <p>21 Q. Was he hospitalised as a result of it, do you know?</p> <p>22 <b>A. I think he was hospitalised. I spoke to staff and</b></p> <p>23 <b>I remember speaking to DCO Ed Fiddy, and he was saying</b></p> <p>24 <b>how it was really, really bad. A lot of blood.</b></p> <p>25 Q. So here you are, talking to him, on 6 July. The</p> <p style="text-align: center;">Page 98</p>	<p>1 "He seems a bit quieter."</p> <p>2 You're referring now to D728?</p> <p>3 <b>A. Yes, sir.</b></p> <p>4 Q. Who you were having problems with earlier in the day in</p> <p>5 the way that you've told us.</p> <p>6 <b>A. Mmm-hmm.</b></p> <p>7 Q. Do you know who staffer 1 was?</p> <p>8 <b>A. Not without looking at the footage, sir, I'm afraid.</b></p> <p>9 Q. But, whoever he was, he says:</p> <p>10 "D728 has been an absolute cunt."</p> <p>11 At the bottom of the page, repeats it:</p> <p>12 "He's been a cunt."</p> <p>13 If we go, please, to another transcript of the same</p> <p>14 day, this time &lt;TRN0000094&gt; at page 53, please. If we</p> <p>15 can put up page 53, you're back talking with Aaron</p> <p>16 Stokes about D1914. It's the same day, 6 July. Are you</p> <p>17 still on E wing?</p> <p>18 <b>A. I think -- let me just read a bit, sir. Sorry. I can't</b></p> <p>19 <b>tell where we are at this point, sir.</b></p> <p>20 Q. You talk about him.</p> <p>21 <b>A. Are you sure this is Aaron Stokes, not Ed Fiddy?</b></p> <p>22 Q. Well, that's what it says on the transcript:</p> <p>23 "... they were picking -- did you say they were</p> <p>24 picking bits of his neck up off the floor?"</p> <p>25 So you were talking about when he self-harmed. And</p> <p style="text-align: center;">Page 100</p>

25 (Pages 97 to 100)

<p>1 Stokes says:</p> <p>2 "It wasn't -- people are saying chunks of his neck,</p> <p>3 it was literally bits of leftover skin 'cos he was</p> <p>4 cutting -- he was cutting his neck like ... was in there</p> <p>5 ... watched him trying to get the blade off him."</p> <p>6 <b>A. Yes, you're right, this is Aaron Stokes, yes.</b></p> <p>7 Q. "And I saw two others in there, I looked in there.</p> <p>8 There was claret on the floor ... chunks on the</p> <p>9 [presumably 'floor']. I want to get everyone away 'cos</p> <p>10 everyone's crowding around. It's like, right, get out</p> <p>11 of here, we need some space. And the rest of them shut</p> <p>12 up."</p> <p>13 A little down at 1830:</p> <p>14 "Yeah. It was like that deep, it was on his neck as</p> <p>15 well. I reckon a couple of centimetres, he would've</p> <p>16 sliced his jugular and that's it."</p> <p>17 So it sounds like it was very serious.</p> <p>18 <b>A. Very, sir. I remember going to his cell after the</b></p> <p>19 <b>self-harming incident and the cell was covered in blood.</b></p> <p>20 Q. Next page, please. Now we are back talking about D1728,</p> <p>21 still the same day, where you say:</p> <p>22 "He seems to have calmed down a bit."</p> <p>23 You're talking to Stokes:</p> <p>24 "Oh no, he's a bellend. Can't keep up with him."</p> <p>25 He's quoting him here:</p> <p style="text-align: center;">Page 101</p>	<p>1 it'. So what? I'm bloody bored of these empty threats.</p> <p>2 Honestly, would I give a shit if you hang yourself?</p> <p>3 I can't physically stop you from hanging yourself.</p> <p>4 I can cut you down ... I can try and stop you from doing</p> <p>5 it but I ain't gonna get in trouble for it, so you crack</p> <p>6 on, mate, you get done with it. He didn't like it when</p> <p>7 I said, stop playing your silly games and get on with</p> <p>8 it. He's like, they're not silly, they're genuine</p> <p>9 personal reasons. Like, no, you're playing silly games,</p> <p>10 mate. Don't start."</p> <p>11 D728 Mr Tulley, was he somebody with</p> <p>12 vulnerabilities? Was he unwell?</p> <p>13 <b>A. Seemed that way, sir, but, as I said, there was no</b></p> <p>14 <b>process for finding out about these vulnerabilities</b></p> <p>15 <b>unless you were sufficiently curious.</b></p> <p>16 Q. Now, I spoke about the injuries to D1914, and I've gone</p> <p>17 through this chronologically, just to see how the</p> <p>18 conversations fluctuated between him and 728. But let</p> <p>19 me, please, play you now -- and the final clip I'm going</p> <p>20 to play this afternoon, something we haven't seen</p> <p>21 before, is KENCOV1044 -- it is only about five</p> <p>22 minutes -- V2017070600022, beginning at 3:41.</p> <p>23 (Video played)</p> <p>24 MR ALTMAN: Can you just stop it there? Who is this chap?</p> <p>25 <b>A. This is Ed Fiddy, sir.</b></p> <p style="text-align: center;">Page 103</p>
<p>1 "I'll hang myself, I'll hang myself. I don't</p> <p>2 really care. I don't care, just do it. He ain't gonna</p> <p>3 hang himself with his shorts."</p> <p>4 He quotes him again:</p> <p>5 "If I don't get out of here, I'll hang myself.</p> <p>6 You're not gonna get out of here if you try and hang</p> <p>7 yourself. I was trying to explain that to him ..."</p> <p>8 You join in the conversation, saying it's all empty</p> <p>9 threats.</p> <p>10 Now, on page 56 of the same transcript, please, the</p> <p>11 conversation appears to continue. At line 1898, Stokes:</p> <p>12 "I'm gonna kill myself, I'm gonna kill myself."</p> <p>13 And you say:</p> <p>14 "He was clearly not gonna hurt himself and he was</p> <p>15 literally just saying it to get what he wanted but</p> <p>16 actually it wasn't -- it was having the -- it was having</p> <p>17 the opposite effect ..."</p> <p>18 Are you still talking about 728?</p> <p>19 <b>A. Yes, sir.</b></p> <p>20 Q. At 1907, Stokes says:</p> <p>21 "He was just standing by that thing saying, 'I'm</p> <p>22 gonna hang myself if I don't get off here'. I just</p> <p>23 literally went -- crossed my arms, you can see it on the</p> <p>24 camera, just literally went in the room: 'Do it. Just</p> <p>25 take yourself. I'll cut you down, fucking crack on with</p> <p style="text-align: center;">Page 102</p>	<p>1 Q. This is Ed Fiddy?</p> <p>2 <b>A. Yes, sir.</b></p> <p>3 Q. We will see what he has to say in a few seconds about</p> <p>4 D728. I have already read the transcript. Carry on,</p> <p>5 please.</p> <p>6 (Video played)</p> <p>7 MR ALTMAN: Thank you. So the man you're talking to, that's</p> <p>8 obviously D1914, but in the same conversation -- what</p> <p>9 did you call him, Ed Fiddy?</p> <p>10 <b>A. Yes, sir.</b></p> <p>11 Q. DCO?</p> <p>12 <b>A. Yes, sir.</b></p> <p>13 Q. He refers to 728 twice as a cunt, and we see that in</p> <p>14 that footage?</p> <p>15 <b>A. We do.</b></p> <p>16 Q. That was something we looked at in the transcript, and</p> <p>17 we have just seen it played. We can also see some of</p> <p>18 the injuries, not all of them, as a result of</p> <p>19 the self-harming by D1914.</p> <p>20 Two other topics, Mr Tulley, and then you'll be</p> <p>21 pleased to know, as far as I'm concerned, at least,</p> <p>22 you'll be done.</p> <p>23 I want to go back to 4 and 8 May 2017. Do you</p> <p>24 remember yesterday I was asking you questions about</p> <p>25 incidents -- an incident that occurred on 24 April when</p> <p style="text-align: center;">Page 104</p>

<p>1 Calvin Sanders and others had D1527 under constant 2 supervision in room 7 on E wing, and we saw the ongoing 3 record of observations, and you will remember that in 4 that ongoing record of observations Sanders refers to 5 him repeatedly hitting his head on the base of a bed. 6 Do you remember that? 7 <b>A. (Witness nods).</b> 8 Q. You had conversations with Calvin Sanders afterwards, 9 both on 4 May and 8 May. You noted them up in your 10 diaries on those two occasions and you talked about him 11 then telling you how he banged his head on a table. 12 <b>A. Mmm-hmm.</b> 13 Q. Let's just look at the transcripts. Again, I make 14 clear, I'm not challenging you. This is obviously 15 a question of recollection. But if we go back to the 16 transcripts, at least we get some idea if the transcript 17 is accurate of what he actually said to you on both of 18 those days. So the 4 May transcript is &lt;TRN0000096&gt;, 19 please. If we can go to the next page, thank you. Can 20 we expand it, please. Here is Calvin Sanders saying: 21 "You know, like ... lockdown when you ... I was in 22 sitting in his room ..." 23 This is the conversation where he's harking back to 24 what he's telling you he did on the day where you put 25 two and two together it had to relate to 24 April:</p> <p style="text-align: center;">Page 105</p>	<p>1 "Ah, what's that?", and he gestures pushing the 2 head down. It looks like another officer: 3 "He's just doing it like constant, like that." 4 And he moves his head up and down in a nodding 5 motion. You say: 6 "What, his head?" 7 "Kalvin Sanders: Yeah." 8 "Aaron Stokes: Did you not have the urge to just 9 punch him in his face as he's gone up and 'bang'." 10 And he gestures a punch. 11 So that's the first conversation. I think 12 overnight, did you look at the video of this? 13 <b>A. Yes, sir.</b> 14 Q. Is it accurate, or reasonably accurate? 15 <b>A. Well, he's not saying what he did do, he's saying what 16 he would do when I asked what's the best way to deal 17 with someone like D1527. And, in any case, when you 18 listen back, the word -- it's not clear to me that he 19 says "base of the bed" at all.</b> 20 Q. What do you think it might be? 21 <b>A. It's hard to tell. I've always felt that it was 22 "table".</b> 23 Q. Except I'm sure you'll agree with me there's all the 24 difference in the world between base of the bed and 25 table if the transcribers picked up --</p> <p style="text-align: center;">Page 107</p>
<p>1 "... and no-one else was there, I was on constants. 2 It was me and him there. He was being a right prick, he 3 was trying to do that to his neck ..." 4 What he shows on the footage, as represented in this 5 transcript, is he was pressing his index finger into the 6 side of his neck, so that's what Sanders is showing you 7 he was doing: 8 "... so after when he did that, I fucking just went 9 like that, like that." 10 And he demonstrated to you squeezing the free hand 11 around the index finger pressed into the side of 12 the neck, and you say: 13 "What is the best way to deal with someone like 14 [1527]?" 15 He says -- this is Stokes saying, and you have told 16 us this before: 17 "Turn away and hopefully he's swinging, probably." 18 That was in your notes: 19 "Kalvin Sanders: Do you know what, what I'd do is, 20 if he's fucking banging his head ... on the base of 21 the bed ... as he's bent down, put my hand down and went 22 ..." 23 And he gestures, head down: 24 "... boom." 25 And there's some laughter. Stokes says:</p> <p style="text-align: center;">Page 106</p>	<p>1 <b>A. I'm not saying he says "table" in this scenario, but 2 when it was communicated to me by Sanders at a later 3 date, which we also have on film, I felt he was 4 referencing the table, or the desk. The reason why 5 I felt that was because I went into the cell, saw him 6 that day. He was sat next to him on the desk and his 7 head was very near the desk.</b> 8 Q. You're right about that. 9 <b>A. Nowhere near the base of a bed.</b> 10 Q. You're talking about 24 April. 11 <b>A. Yes, sir.</b> 12 Q. So when you went in and he was actually sitting on the 13 desk, and we have seen now, in some of the imagery, 14 a desk under the window which is actually, I think, 15 probably connected to the bed, isn't it? 16 <b>A. Yes.</b> 17 Q. Sort of one unit all round? 18 <b>A. Yes, sir.</b> 19 Q. And he's sitting on -- is what you're telling us, he's 20 sitting on the table? 21 <b>A. Yes.</b> 22 Q. With 1527 on the bed next to him? 23 <b>A. Yes.</b> 24 Q. But here, you're right, on the face of it, if the 25 transcript is accurate, what it's saying is, "Do you</p> <p style="text-align: center;">Page 108</p>

<p>1 know what, what I would do", not "what I have done"?</p> <p>2 <b>A. Yes.</b></p> <p>3 Q. So it is a brag, on the face of it, about what he would</p> <p>4 do. But let's have a look at, then, the transcript of</p> <p>5 8 May, please, and that's &lt;TRN0000097&gt; for 8 May. If we</p> <p>6 can put that up, please, and I think it is going to be</p> <p>7 the second page. Next page, please. We will start at</p> <p>8 the top and read our way down. It is you and Sanders,</p> <p>9 and at line 5:</p> <p>10 "He was on E wing, on constant, and I was in the</p> <p>11 room with him. And normally you're set up, sat across,</p> <p>12 sitting outside watching him ... But I still couldn't</p> <p>13 see what he was doing. So I sat in there on the table</p> <p>14 right next to him."</p> <p>15 So he's confirming what you have just told us:</p> <p>16 "Literally I was talking to him and obviously,</p> <p>17 looked around to make sure no-one was looking, banging</p> <p>18 his head and as he was banging it I went ..."</p> <p>19 And the transcriber says the gesture that he shows</p> <p>20 you is slams his hand on the desk, which is what you</p> <p>21 showed us in evidence when I first asked you:</p> <p>22 "... held it right there. And he's tryna do that to</p> <p>23 himself, pushing his finger right in his neck. So I got</p> <p>24 his finger and thumb and went "Told you I stop you doing</p> <p>25 it'."</p> <p style="text-align: center;">Page 109</p>	<p>1 <b>A. Yes, sir.</b></p> <p>2 Q. Who couldn't make eye contact with whom?</p> <p>3 <b>A. The detainee with Yan.</b></p> <p>4 Q. And Sanders says at 39:</p> <p>5 "You know I was saying to a mate if you're gonna do</p> <p>6 it, hurt someone, fucking hurt me, at least get your</p> <p>7 times worth out of it. You know hurting yourself,</p> <p>8 you're attention seeking aren't you, you little prick.</p> <p>9 Can't stand it, if you're gonna hurt fucking someone</p> <p>10 hurt yourself -- hurt like an officer you know. Get</p> <p>11 your -- get to brag about it, fucking, you know, 'I took</p> <p>12 a swing at him' instead of fucking trying to hurt</p> <p>13 yourself. Because hurting yourself is just fucking</p> <p>14 attention seeking, gonna get you nowhere."</p> <p>15 Well, it may be obvious what he's saying, but what's</p> <p>16 the point of him saying, you know, "If you're gonna do</p> <p>17 it you may as well hurt an officer?" What's the point</p> <p>18 he was trying to make to you?</p> <p>19 <b>A. He was just trying to say to me that he feels</b></p> <p>20 <b>self-harming is attention seeking.</b></p> <p>21 Q. Why was he saying it's better to hurt an officer, if</p> <p>22 you're going to do that? What was the point he was</p> <p>23 making?</p> <p>24 <b>A. I don't know.</b></p> <p>25 Q. So that's those two transcripts, and this covers</p> <p style="text-align: center;">Page 111</p>
<p>1 He gestures with one hand and index finger and thumb</p> <p>2 are extended. With the other, he squeezes the index</p> <p>3 finger towards the thumb, which is exactly what he'd</p> <p>4 done four days before. So here it seems to be he's</p> <p>5 actually telling you not what I would do but what I did</p> <p>6 do.</p> <p>7 <b>A. Mmm-hmm.</b></p> <p>8 Q. Somebody unknown says something like, "Yeah, shit ...</p> <p>9 detainee. I didn't even know who it was. The detainee</p> <p>10 was pissed, then he came back."</p> <p>11 And there is some chat about that. Then at line 24</p> <p>12 you say:</p> <p>13 "Yeah I remember when you was down there."</p> <p>14 And Sanders says at 26:</p> <p>15 "Cause I was sitting on a table weren't I."</p> <p>16 And you say:</p> <p>17 "Yeah I remember seeing you, thinking why does he</p> <p>18 look so chirpy on a constant."</p> <p>19 You're saying:</p> <p>20 "Thinking about you, obviously, not him."</p> <p>21 And then at line 38 you say:</p> <p>22 "It's like the other day when he saw Yan he couldn't</p> <p>23 even make eye contact."</p> <p>24 Who is the "he", "when he saw Yan he couldn't make</p> <p>25 eye contact". Are you talking about 1527?</p> <p style="text-align: center;">Page 110</p>	<p>1 4 and 8 May, I hope. Finally, this, and I wish I hadn't</p> <p>2 used the word "finally" because, almost inevitably, it</p> <p>3 won't be, but I have said "finally" so hopefully it will</p> <p>4 be finally, Mr Tulley. 5 June 2017. I'd like to put up</p> <p>5 on screen a different transcript, and I think one that</p> <p>6 you have been asked to look at, &lt;TRN0000063&gt; at page 6.</p> <p>7 Now, 5 June. We haven't covered this yet, and we</p> <p>8 will cover it when we hear from D1851, all things being</p> <p>9 well, tomorrow, in which there was a use of force on</p> <p>10 that day. He was sharing a room with another detained</p> <p>11 man whom we cipher as D390. You have those numbers in</p> <p>12 front of you.</p> <p>13 <b>A. Yes.</b></p> <p>14 Q. On the use of force used on that occasion, 390 was</p> <p>15 subdued in his cell because I think he was being moved</p> <p>16 elsewhere. 1851 was in the cell with him and was held</p> <p>17 on the bed. We are going to go into a bit more detail</p> <p>18 with that tomorrow, and we are also going to see -- not</p> <p>19 now, but I think you have seen it -- some other footage</p> <p>20 which was disclosed quite late in the day by the</p> <p>21 Home Office, if my memory serves me, yesterday</p> <p>22 lunchtime.</p> <p>23 What I want to ask you is about that incident from</p> <p>24 your perspective, and we have been asked to ask you</p> <p>25 about this, and that's why I'm doing it. This is your</p> <p style="text-align: center;">Page 112</p>

<p>1 video diary that we have up on screen, and I'd like to</p> <p>2 read through it together with you. It is 5 June:</p> <p>3 "At about 10.30 am I was asked to get my riot kit</p> <p>4 for the planned intervention on a detainee who was being</p> <p>5 sent to Harmondsworth."</p> <p>6 Harmondsworth is another centre, but near Heathrow?</p> <p>7 <b>A. Yes, sir.</b></p> <p>8 Q. "He didn't want to go to this detention centre, and as</p> <p>9 a result we were going to have to remove him by force,</p> <p>10 and hand him over to the escorts.</p> <p>11 "When I was leaving the library to go and pick up my</p> <p>12 kit, I was met immediately by two officers, Shane and</p> <p>13 Ryan, who were also getting kitted up. This detainee</p> <p>14 was on Shane's wing, and Shane was basically saying,</p> <p>15 'He's boiling his kettle, he's getting his kettle ready</p> <p>16 for the team when they come in'."</p> <p>17 Pausing there, this is something that you told us</p> <p>18 a little about yesterday, that if there was a risk that</p> <p>19 anything like that could be used, you'd turn the power</p> <p>20 off. Do you remember telling us that?</p> <p>21 <b>A. Mmm-hmm.</b></p> <p>22 Q. "He's getting his kettle ready for the team when they</p> <p>23 come in'. So immediately your adrenaline starts</p> <p>24 skyrocketing because you've just heard that you're going</p> <p>25 into a potentially dangerous situation, and although</p> <p style="text-align: center;">Page 113</p>	<p>1 with the earlier intervention of 390 and 1851? You have</p> <p>2 moved on here?</p> <p>3 <b>A. Correct.</b></p> <p>4 Q. Let me move on to page 8 because I think on page 8</p> <p>5 you're back describing the earlier use of force in 390</p> <p>6 and 1851's room. If we look at the top of this page --</p> <p>7 <b>A. No, sir, I think what we were just reading there was</b></p> <p>8 <b>preparation for the restraint --</b></p> <p>9 Q. What, the 5.00 pm?</p> <p>10 <b>A. Yes.</b></p> <p>11 Q. All right.</p> <p>12 <b>A. So the first restraint never happened and the detainee</b></p> <p>13 <b>goes peacefully. Nothing is used. No force is used.</b></p> <p>14 Q. Then --</p> <p>15 <b>A. As far as I'm aware.</b></p> <p>16 Q. Forgive me if I'm confusing you. That first detainee</p> <p>17 who went without force --</p> <p>18 <b>A. Yes, so that's not relevant.</b></p> <p>19 Q. That's not relevant?</p> <p>20 <b>A. The last bit, where I'm heating up my chicken soup and</b></p> <p>21 <b>then --</b></p> <p>22 Q. Kitted up.</p> <p>23 <b>A. Then we get kitted up, that is relevant.</b></p> <p>24 Q. Fine.</p> <p>25 <b>A. That precedes this restraint.</b></p> <p style="text-align: center;">Page 115</p>
<p>1 you're covered by a boiler suit and other protective</p> <p>2 gear like helmets, et cetera, boots, you just worry that</p> <p>3 maybe a bit of skin is going to be exposed and if we get</p> <p>4 boiling hot water thrown at us when we go into this</p> <p>5 guy's cell, it's going to hurt, obviously, it's going to</p> <p>6 burn. So, I was scared going to get my kit. But we</p> <p>7 were lucky because this detainee decided to walk down at</p> <p>8 12.00 pm, before we even needed to go up to the top</p> <p>9 landing, the managers managed to negotiate with him and</p> <p>10 tell him to come down, and he went on his transfer. So</p> <p>11 fair play to the managers who resolved that peacefully.</p> <p>12 "And then -- but that wasn't it, although I thought</p> <p>13 it was. That wasn't the end ..."</p> <p>14 Then you start that bit again. You say:</p> <p>15 "So that removal went off successfully, no force had</p> <p>16 to be used, no-one got hurt, no-one got injured. But as</p> <p>17 I'm getting my dinner later on, at about 5.00 pm, just</p> <p>18 heating up my chicken soup, sit down in the staff room,</p> <p>19 and there are already six officers getting kitted up in</p> <p>20 riot gear."</p> <p>21 Go to page 7, please:</p> <p>22 "This is for a different detainee of course now,</p> <p>23 a guy who is refusing to go to another detention</p> <p>24 centre."</p> <p>25 Pausing there, I take it this has got nothing to do</p> <p style="text-align: center;">Page 114</p>	<p>1 Q. I don't think there's anything we need to look in</p> <p>2 particular at that. But let's pick it up here:</p> <p>3 "... the manager pops the door open."</p> <p>4 That was Steve Dix, I think we will find?</p> <p>5 <b>A. Stuart Povy-Meier.</b></p> <p>6 Q. Sorry, I'm thinking of another one:</p> <p>7 "... unlocks the door, swings open, the team rush</p> <p>8 in, the detainee gets hit by the shield, another team of</p> <p>9 kitted officers rush in to the right-hand side of</p> <p>10 the cell and stand at the guy's bed to make sure he</p> <p>11 doesn't move or get involved with the restraint of</p> <p>12 the detainee who is being transferred. He puts up a bit</p> <p>13 of resistance, but he's very shortly in the control of</p> <p>14 the officers, and he does then comply, and I'm not</p> <p>15 needed to get involved, I don't even have to cuff him.</p> <p>16 And he goes down the back of A wing and meets the escort</p> <p>17 team who facilitate a transfer. So, it was another</p> <p>18 successful removal, albeit this one was a lot more</p> <p>19 challenging and quite a lot more nerve racking -- and</p> <p>20 dangerous for me."</p> <p>21 Why was it dangerous for you?</p> <p>22 <b>A. Well, obviously it is -- it was -- it was dangerous for</b></p> <p>23 <b>everyone, but I was not in kit.</b></p> <p>24 Q. So you say:</p> <p>25 "Luckily it didn't -- nothing -- it didn't</p> <p style="text-align: center;">Page 116</p>

<p>1 materialise, but if I had to get involved in this -- if</p> <p>2 I had to get involved in this restraint, this guy had</p> <p>3 boiled up his kettle and he was going to use it on the</p> <p>4 officers if they didn't get to him before he got to the</p> <p>5 kettle."</p> <p>6 Is that what you believed or were told?</p> <p>7 <b>A. That's what I was told, sir. Yes, that's what I was</b></p> <p>8 <b>told.</b></p> <p>9 Q. Did you realise the power had been turned off in the --</p> <p>10 <b>A. No, sir, I didn't know that at the time.</b></p> <p>11 Q. But you've seen it on the footage that you viewed</p> <p>12 overnight, I think?</p> <p>13 <b>A. On the footage I see, when they're still outside the</b></p> <p>14 <b>cell door, someone saying to turn the power off.</b></p> <p>15 Q. That was Stuart Povy-Meier who says that?</p> <p>16 <b>A. Yes.</b></p> <p>17 Q. "Turn the power off". I think when you actually go in,</p> <p>18 you see the lights have gone off and then they are</p> <p>19 switched on again at some point. We will see that when</p> <p>20 D1851 is called, chair.</p> <p>21 Tell me this, if we can go to page 9, and if we can</p> <p>22 just expand the top part of that page:</p> <p>23 "... he knows that people are going to come and</p> <p>24 remove him by force, because the manager will tell him</p> <p>25 that. And so when the manager looks into his cell, just</p> <p style="text-align: center;">Page 117</p>	<p>1 Q. I think I asked you yesterday, but I think it's only</p> <p>2 fair that we understand, have you ever seen officers in</p> <p>3 riot gear, internal Brook House officers in riot gear,</p> <p>4 kitted out with batons?</p> <p>5 <b>A. No, sir.</b></p> <p>6 Q. Was there anything about the use of force that you</p> <p>7 witnessed on that particular occasion that you felt had</p> <p>8 been excessive or disproportionate or unnecessary?</p> <p>9 <b>A. When you watch the footage -- when everyone watches the</b></p> <p>10 <b>footage tomorrow, they will see that my view of</b></p> <p>11 <b>the incident isn't good because I'm the handcuff</b></p> <p>12 <b>officer, so I don't really -- I can't really say whether</b></p> <p>13 <b>or not -- I can't offer much help because I was one of</b></p> <p>14 <b>the last people to the cell door and, by that time, the</b></p> <p>15 <b>shield had already been used on the detainee. But</b></p> <p>16 <b>I didn't see anything untoward, but I couldn't really</b></p> <p>17 <b>see anything untoward. This piece to camera here that</b></p> <p>18 <b>we are looking at, I mean, that's off the back of other</b></p> <p>19 <b>people's accounts and my immediate reflection on things,</b></p> <p>20 <b>but, when you review the footage, it wasn't clear to me</b></p> <p>21 <b>what happened when the officers went in.</b></p> <p>22 Q. The water, just so we understand. You said that. Did</p> <p>23 you see that yourself or were you told that?</p> <p>24 <b>A. I don't remember seeing it myself, but it was certainly</b></p> <p>25 <b>said amongst officers afterwards.</b></p> <p style="text-align: center;">Page 119</p>
<p>1 before the restraint's about to take place, and he sees</p> <p>2 the detainee boiling the kettle, that means only one</p> <p>3 thing, and he is going to try to throw that kettle of</p> <p>4 hot boiling water over the officers who are going into</p> <p>5 that cell to restrain him. He had also made the floor</p> <p>6 soaking wet with water, so it was slippery in there.</p> <p>7 People were slipping and sliding all over the place.</p> <p>8 A bit of an overexaggeration, but it made it very</p> <p>9 difficult for the staff going into the cell to keep</p> <p>10 their footing whilst also concentrating on not only</p> <p>11 restraining this detainee but preventing him from</p> <p>12 throwing boiling hot water all over them."</p> <p>13 Now, there are differences of view about what</p> <p>14 happened and why, and one of the reasons I'm being asked</p> <p>15 to ask you these questions, if my memory serves me, on</p> <p>16 behalf of the Home Office is just to ask you, first of</p> <p>17 all, do you recall -- do you remember I've been asking</p> <p>18 you a number of questions about the use of batons?</p> <p>19 <b>A. Yes, sir.</b></p> <p>20 Q. Do you recall the use of batons during the course of</p> <p>21 this use of force restraint on D390?</p> <p>22 <b>A. No, sir.</b></p> <p>23 Q. When I ask you, do you recall it, did you actually see</p> <p>24 any officers kitted with batons?</p> <p>25 <b>A. No, sir.</b></p> <p style="text-align: center;">Page 118</p>	<p>1 Q. We have to be clear. When you say "he had also made the</p> <p>2 floor soaking wet with water so it was slippery, people</p> <p>3 were slipping and sliding all over the place, a bit of</p> <p>4 an overexaggeration", now, superficially, that sounds as</p> <p>5 if that's what you, yourself, observed. But I'd like to</p> <p>6 know, and I think others would like to know, is that</p> <p>7 your observation or are you putting it in a particular</p> <p>8 way because it's a piece to camera and it's just</p> <p>9 received information?</p> <p>10 <b>A. It's information I had received from officers after the</b></p> <p>11 <b>restraint. I didn't see people slipping and sliding all</b></p> <p>12 <b>over the place, which is why I even say immediately in</b></p> <p>13 <b>the piece to camera that it's an overexaggeration. You</b></p> <p>14 <b>know, when you go and review the footage and you watch</b></p> <p>15 <b>things back, this will be why this was never broadcast</b></p> <p>16 <b>because, actually, in my sort of -- what I filmed with</b></p> <p>17 <b>the secret camera, it doesn't really demonstrate that</b></p> <p>18 <b>this happened and it was kind of hearsay and -- so</b></p> <p>19 <b>it's --</b></p> <p>20 Q. So that we are clear, as far as you're concerned, are</p> <p>21 you saying there was no water in or outside the cell?</p> <p>22 Or are you saying there might have been but you don't</p> <p>23 remember it anymore?</p> <p>24 <b>A. Yes, sir, that's what I'm saying. The latter.</b></p> <p>25 Q. One of the main concerns you have, certainly in this</p> <p style="text-align: center;">Page 120</p>

<p>1 piece to camera, was the fact that you, yourself,</p> <p>2 weren't properly kitted up?</p> <p>3 <b>A. Yes, sir. I mean, they're talking about the detainee</b></p> <p>4 <b>behind the cell door having boiled a kettle and that it</b></p> <p>5 <b>was going to be thrown over staff and I was the only</b></p> <p>6 <b>staff member, besides the managers, that wasn't wearing</b></p> <p>7 <b>protective clothing.</b></p> <p>8 Q. So that was something that worried you?</p> <p>9 <b>A. Yes, sir.</b></p> <p>10 MR ALTMAN: Thank you very much. I think that's all I'm</p> <p>11 going to ask you on that topic, and, as I say, we will</p> <p>12 hear more about it, I anticipate, tomorrow.</p> <p>13 Chair, that's all I have to ask -- when I say "all",</p> <p>14 that's a lot, but that's all I have to ask Mr Tulley.</p> <p>15 Have you got any residual questions?</p> <p>16 THE CHAIR: Just one very brief follow-up. Is that the only</p> <p>17 occasion that you can remember not having the right</p> <p>18 equipment to use for a planned use of force, or were</p> <p>19 there other occasions, from your memory?</p> <p>20 <b>A. I can't remember other occasions, chair, no. As I said</b></p> <p>21 <b>sort of earlier in the week, I can remember occasions</b></p> <p>22 <b>when a use of force should have been planned and that,</b></p> <p>23 <b>to avoid personal inconveniences, a spontaneous one was</b></p> <p>24 <b>sanctioned instead, and so that also falls into</b></p> <p>25 <b>a similar category, at least, because you could have</b></p> <p style="text-align: center;">Page 121</p>	<p>1 MR BLAKE: Chair, may I briefly rise? I'm sure Mr Altman</p> <p>2 didn't mean it as a criticism at all. I just address</p> <p>3 you briefly on that footage that's going to be seen</p> <p>4 tomorrow. It was described as being disclosed late by</p> <p>5 the Home Office. In fact, it wasn't until</p> <p>6 Mr Armstrong's opening and a very recently received</p> <p>7 witness statement that the Home Office was aware that</p> <p>8 the inquiry wasn't in possession of that footage and,</p> <p>9 therefore, on receipt of that information, we made the</p> <p>10 necessary enquiries and provided it to the inquiry. I'm</p> <p>11 sure it wasn't meant as a criticism.</p> <p>12 THE CHAIR: Thank you for that clarification, Mr Blake.</p> <p>13 Thank you very much.</p> <p>14 MR ALTMAN: Thank you, chair. 9.30 am tomorrow, please.</p> <p>15 THE CHAIR: Yes. I look forward to seeing you then. Thank</p> <p>16 you again, Mr Tulley.</p> <p>17 (The witness withdrew)</p> <p>18 (4.15 pm)</p> <p>19 (The hearing was adjourned to</p> <p>20 Friday, 3 December 2021 at 9.30 am)</p> <p>21</p> <p>22 I N D E X</p> <p>23</p> <p>24 MR CALLUM MICHAEL TULLEY (continued) .....1</p> <p>25</p> <p style="text-align: center;">Page 123</p>
<p>1 <b>been put in protective clothing and you weren't. But in</b></p> <p>2 <b>terms of an actual planned use of force, I don't recall</b></p> <p>3 <b>any other incidents, chair.</b></p> <p>4 THE CHAIR: Thank you. I would just like to thank you.</p> <p>5 I know you've been with us for four days and they have</p> <p>6 been long days and it's been difficult at times, but</p> <p>7 I do very much appreciate your evidence, so thank you.</p> <p>8 <b>A. Thank you very much, chair.</b></p> <p>9 MR ALTMAN: Chair, before Mr Tulley leaves us and before you</p> <p>10 rise, can I just make one correction? During the course</p> <p>11 of my opening statement, almost towards the end, I made</p> <p>12 a comment about the HMIP report in January 2017, and by</p> <p>13 reference to the Verita report. The way it was read out</p> <p>14 and the way I made the comment was, as it turns out, in</p> <p>15 error, for which we apologise. In saying "more focused</p> <p>16 questions" -- the Lampard report had said that more</p> <p>17 focused questions might have identified some of</p> <p>18 the issues that Verita has identified, and I said it was</p> <p>19 noted that HMIP, the inspectorate, had changed its</p> <p>20 report. What that should have been is changed its</p> <p>21 reporting methodology, which is significantly different,</p> <p>22 and I apologise for that.</p> <p>23 THE CHAIR: So changing the methodology following the</p> <p>24 outcome of the Verita report. Understood. Thank you</p> <p>25 very much for clarifying.</p> <p style="text-align: center;">Page 122</p>	<p>1 Examination by MR ALTMAN (continued) .....1</p> <p>2</p> <p>3</p> <p>4</p> <p>5</p> <p>6</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p> <p style="text-align: center;">Page 124</p>

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