

OFFICIAL – SENSITIVE

Handling: Investigation – not for onward transmission without reference to the author

CLOSURE REPORT

D87

Complaint investigation

Finding: Unsubstantiated, on both counts

This investigation considered two complaints by Mr **D87** a Nigerian citizen detained at IRC Brook House, alleging gross misconduct and gross medical negligence in two separate incidents on 30 June 2017. He alleged that, on that date at around 17:20 he was attacked in his room, resulting in him receiving injuries. Secondly, after being relocated to the Care and Separation Unit he alleged that he tried to take his own life, that it took 1 ½ hours for the door to be opened, at which point he was surrounded by about 13 officers “geared up” when they might have feared for his life, and that he was not seen by a doctor or nurse, amounting to gross negligence.

The investigator found that there was no evidence of mistreatment of Mr **D87** during either incident. In the first incident officers entered his room in order to move Mr **D87** to CSU, he was non-compliant and became hostile. Force was used but the investigation found this to be justified, proportionate and necessary. In the second incident, Mr **D87** remained hostile and accepted that he had not made any serious attempt at self-harm but was essentially protesting at his perceived treatment. When officers entered the room they behaved properly and proportionally to the incident, and healthcare officers were present throughout. Mr **D87**'s continued hostility included repeatedly exposing his genitals to a female officer as well as threatening physical harm to several officers.

The investigator found both complaints to be unsubstantiated.

The investigation timeliness was reasonable. The complaint was received in CRT on 3 July, Mr **D87** was interviewed on 11 July, a full review of all reports and images was carried out, and three senior staff were interviewed on 29 August to gain understanding of the rationale behind the decisions which led to the allegations. The report was issued on 21 September, within published targets.

I am satisfied that the evidence obtained was sufficient to enable a balanced consideration of the allegation, that the enquiries made were proportionate and reasonable and that further enquiries would have been unlikely to provide any additional relevant material.

The report is 35 pages not including the Annexes, and covers all the necessary aspects and in sufficient detail. This is a long report but not disproportionately so, given that it encompasses in effect two separate matters. The decision was taken to report singly as both incidents occurred on the same day with the second effectively following as a result of the first, I believe this to have been the most logical way forward in this case.

I am satisfied the narrative has been kept to what is necessary to provide analysis and consideration of the material facts. Format is logical, analysis is sufficiently thorough and conclusions are appropriate. I agree with the findings, which were reasonable and fully justified.

Steve Railton
Senior Investigating Officer
PSU London

21 September 2017