

lec 19/10/17
PSU
(Manraj Sroa)
Goulder, Karen

From: Sroa Manraj [DPA]
Sent: 19 October 2017 13:58
To: Goulder, Karen
Subject: Official Sensitive - Mr [D2953]
Attachments: Detention Services evidence request.xlsx

Importance: High

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Karen,

Please see attached the evidence request form for Mr [D2953].

Mr [D2953] is complaining about three incidents which occurred on 10 June, 11 June, and, 16 June at Brook House IRC.

The incident of 10 June occurred in CSU – Rule 40 possibly just before lunch. Mr [D2953] states an Officer by the name of Derek came into the room and punched him on the thigh. There was another young male Officer who was present at the time who, was stood by the door when Derek entered and allegedly hit Mr [D2953].

11 June: again whilst he was in CSU, at some point in the day again the same Officer, Derek, entered the room and punched him on the chest.

16 June incident In the staff room on Eden Wing around 11:00am Derek took him into the staffroom and hit him around the left side of his head catching his ear. A manager with a red tie was present at the time in the office and witnessed the incident. After the incident Derek allegedly went to Mr [D2953]'s room and shook his hand by way of an apology.

Mr [D2953] describes Derek as being a very tall male Officer, around 60 years of age with white/grey hair.

Can I request CCTV please for the following:

- All relevant CCTV footage including body cam footage of the time when Mr [D2953] was taken into CSU on 10 June right through to the evening of 11 June 2017 inclusive.
- For the incident of 16 June please provide all camera coverage of the E Wing staff room area and any camera footage of and around Mr [D2953]'s room which he thinks was Room 11 of Eden Wing. He states the incident happened just before lunch so please provide the footage to around 3:00pm which should provide us with a more than sufficient snap shot.

Kind Regards

Ms Manraj Sroa
Professional Standards Unit – Operational Support
Security, Science & Innovation Directorate
Home Office



Home Office

Sub

HOME OFFICE
Home Office Security
Professional Standards Unit

A Home Office investigation into the circumstances surrounding the treatment of D2953 who states he was assaulted by Detainee Custody Manager (DCM) Derek Murphy on 10, 11 and 12 June 2017 whilst at Brook House Immigration Removal Centre (IRC).

IMG Ref: 17/1555/1557/018

Investigating Officer

Rukshana Rafique

6.1.8 When he finally moved to another wing Officer Derek threatened him to stop talking to the Police. Officer Derek was on the side of the 'cops' he did not like the fact he was speaking out against the Police. As a result of the complaint he hoped to receive some compensation.

6.2 Summary of Acting Detainee Custody Manager Derek Murphy's evidence taken from his telephone conversation of 13 December 2017 (Appendix B)

6.2.1 Officer Murphy stated the following:

6.2.2 He had nothing to answer for. He did not make a habit of assaulting detainees. He remembered [D2953] and did his best to reintegrate him on the wings but, every time he did this he would get into a fight with his roommate and would then end up back on E Wing. [D2953] used to bang a lot. He broke a couple of cups/crockery which can be sharp; these were the only times he had dealings with him. He could not understand the allegations which could possibly be because sometimes they had to say 'no' to [D2953]. He denied assaulting [D2953] at anytime and wanted to make that clear.

6.2.3 [D2953] used to walk around the wing saying it was his human rights and that he wanted compensation; he would do this every day and would annoy other detainees. He used to walk around in his boxer shorts which is not a nice sight particularly with female Officers around. If they asked [D2953] to go into his room he kept saying it is his human rights. He arranged for [D2953] to be transferred to a single occupancy Centre at the Verne but he ended up returning to Brook House.'

6.3 Summary of Witness DCM Nick London's evidence taken from his statement dated 21 December 2017 (Appendix D)

6.3.1 DCM London stated:

'He had no recollection of the incident of (16 June 2017) and in his position as Oscar 1 if he had heard or seen the incident he would have reported and dealt with it swiftly.'

6.4 Summary of Witness DCM Michael Yates' evidence taken from his statement received on 26 January 2018 (Appendix E)

6.4.1 DCM Yates' stated:

'After checking; he could confirm he was based on Clyde Wing and not Eden Wing on 16 June 2017 and had no recollection of the incident in question.'

6.5 Summary of G4S Incident Report dated 9 June 2017

6.5.1 The incident report filed by DCM N London states:

6.5.2 At approximately 17:30pm he was called to Beck wing as [D2953] was banging constantly on his door. On arrival [D2953] was pacing up and down in his room

- 6.9.5 11 June: 04:55 hours: paracetamol given. 13:24 hours, CSU, three man unlock, sat in room and refused to make contact on the phone. 18:44 hours call taken from paramedic from 111 service advising [D2953] had called them 4 times that day and in the recent call stated he needed medication for his headache. 12 June: 14:08 hours: known to mental health team and though not aggressive there are concerns about behaviour. 14 June: Discharged from mental health as refusing to engage. 15 June: Came for sleeping medication nothing prescribed advised to return a.m. to speak to nurses. 16 June: 00:26 hours: had contacted 111 service to talk about his human rights. 15:16 hour's [Sensitive/irrelevant] and medication for insomnia prescribed. 17 June: requested treatment for back pain paracetamol given.
- 6.9.6 29 June: 13:38 hours: moved to CSU after throwing food in wing and being rude to staff. States has been punched and hit by Officers; states hit around side of head, no bruising or red marks – No new injuries. 1 July: called ambulance service, checked states he is upset and complains about room being dirty.
- 6.9.7 The medical information also records the following calls were made to the NHS 111 Service around the incident dates in question:

11 June 2017:

- 10:55 hours: [D2953] reported he was on anti depressants and staff had refused to give him his medication.
- 11:46 hours: During this call [D2953] reported his mental health was worsening.
- 16:50 hours – Reported he has a headache and is not sleeping. He is kicking on the door and no one is taking notice of him. Medical emergency; is on anti depressants and sleep aids which the Centre were not giving to him. Centre had also imposed a ban on him having access to anyone and he was afraid for his life.
- 19:26 hours: Reported he had a headache and was not sleeping.

26 June 2017:

02:00 hours: Prescription request – codeine.

7. CONSIDERATION OF EVIDENCE AND CONCLUSIONS

- 7.1 **Allegation 1: On 10 June 2017 DCM Murphy hit him hard on his left thigh leaving a bruise, on 11 June DCM Murphy punched him on the chest/lower abdomen and, on 16 June he punched him on the left side of his head.**
- 7.1.1 **Review:**
- 7.1.2 At his interview [D2953] gave a detailed account of the alleged physical assaults that he states he endured at the hands of Acting DCM D Murphy on 10, 11, and, 16 June respectively.
- 7.1.3 The extensive documentary evidence in the form of various Security, Use of Force,

cannot ignore the contents of the BBC Panorama Programme about Brook House IRC which was aired on 4 September 2017. The programme transcript contains some alarming information with regards to Acting DCM Murphy's behaviour and actions which includes the following:

- Him threatening a detainee who was suffering from mental health issues by saying: 'clean this window, tell him if he keeps going I'm going to smash the fucking shit out of him, listen listen stop fucking about you understand stop' and 'I don't want to come back in this room again you'll be in trouble all right (14 June).'
- Also on the same day (14 June) in relation to a detainee who had taken spice Acting DCM Murphy stated: 'look at the state of that, imagine bringing that home to your mother' and 'absolutely no sympathy for them at all if he dies he dies.'
- On 6 July mouthing that he wanted to strike a detainee on E wing.
- In early 2017 Acting DCM Murphy looking into a room seeing a detainee was bleeding and taking no action resulting in the detainee bleeding for at least 30 minutes.
- On an unknown date alleging to have punched a detainee in the jaw who had previously bitten him.
- Whilst on shift the previous week (to 8 May) saying 'he had chopped with his open hand or punched a detainee on E Wing under the chin causing him to spit out a razor blade he had concealed in his mouth.'
- On an unknown date him alleging to have punched a detainee on the jaw. A Senior Manager asked what had happened and neither Acting DCM Murphy nor the other officers present said what had actually taken place.

7.1.13 Although some of the actions above by Acting DCM Murphy relate to his interaction with detainees other than D2953 and, in regards to some of his actions there are no details as to e.g. who he had allegedly punched on the jaw, the information nonetheless gives an indication that Acting DCM Murphy had a poor, unprofessional, insulting attitude towards individuals and had potentially mistreated individuals in his care at the Centre which is highly relevant.

7.2 Conclusion

7.2.1 Crucially some of this mistreatment by Acting DCM Murphy was around the same time as when D2953 alleges he was mistreated by Officer Murphy. On a balance of probabilities it is therefore right and proper for this investigation to attach weight to the information contained within the BBC Panorama Programme when assessing D2953's allegations against Acting DCM Murphy.

7.2.2 D2953 also appears to have been let down by processes inside Brook House in June 2017 when he mentioned he had been assaulted. The allegations should have been flagged to e.g. the Home Office Immigration Team and Detention Services. At

the very least, [D2953] should have been handed a complaints form and assistance should have been given to him via e.g. the Centre Welfare Officer given the fact that English is not [D2953]'s first language for him to provide full details of the assault.

7.2.3 The fact all these necessary steps were not taken back in June when [D2953] mentioned he had been assaulted when balanced against the rest of the evidence which includes; [D2953]'s call to the EASS helpline at 15:06 hours on 16 June; the fact he mentioned on 20 June to the Officer in the library that he had been assaulted; three attempts to alert DCM Page as well as healthcare staff on 29 June; a note by healthcare on 29 June who recorded 'a ? over injuries prior to that day;' a further call to the helpline on 29 June in which [D2953] mentioned he had been assaulted as well as; the evidence featured in the BBC Panorama Programme with regards to Acting DCM Murphy's conduct at Brook House IRC leads to the conclusion that something did happen to [D2953] as he states.

7.2.4 **Therefore on a balance of probabilities the conclusion reached by this investigation is that there is substance to [D2953]'s allegations consequently the allegation is substantiated.**

8. RECOMMENDATIONS

8.1.1 Recommendation 1 G4S and Detention Services – Policy and Procedure-Complaints Process

8.1.2 This investigation has identified a failing in G4S's policy and procedures when it came to the handling of [D2953]'s assault allegation. Between 20 and 29 June 2017 [D2953] mentioned four times he had been assaulted. The first time on 20 June when [D2953] mentioned he had been assaulted the Officer completed an Incident Report. A Senior Manager was asked to speak to [D2953] but there is no documentary evidence to show any contemporaneous follow up action was taken. There is no evidence to indicate [D2953] was given a complaint form to complete. On 29 June 2017 [D2953] mentioned three times he had been assaulted on 16 June. Whilst DCM Page's Incident and UoF reports make reference to [D2953] stating he had been assaulted there is no documentary evidence to show the allegation was followed up in any way.

8.1.3 **Action Point 1:** Taking account of the background in so far as the handling of [D2953]'s complaint is concerned It is recommended G4S review and ensure their current complaints handling process is robust enough to prevent a repeat of a similar situation from arising again. Any review should give consideration to the formalisation of a more active role by the Centre welfare Officer particularly in cases where a vulnerable detainee or an individual where whose first language is perhaps not English makes an allegation of mistreatment to ensure such individuals are afforded every opportunity to give all relevant details.

8.1.4 **Action Point 2:** It is recommended G4S reminds all Centre staff of the actions that should be taken when a detainee alerts them to any form of mistreatment.

8.1.5 **Action Point 3:** Where a detainee does not wish to pursue an allegation or does not