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Investigator John Howgate / Stephen Cotter Authorised by Nick Sheppard

Section 1: Matter to be investigated

The BBC raised allegations which may constitute misconduct in a letter dated the 24th August 2017 to G4s about DCO Derek Murphy's alleged involvement in the following incidents: (Allegations below as per letter)

1. On the 8th of May you said that, while on shift the previous week, you had chopped with your open hand or punched a detainee on E Wing under the chin, causing him to spit out a razor blade which the detainee had concealed in his mouth.
2. On the 14th of June you said of detainee D1275 who had taken spice "look at the state of that", "imagine bringing that home to mother" and "absolutely no sympathy for them at all...if he dies he dies".
3. On the 14th of June you threatened a detainee with serious pre-existing mental health issues who was later sectioned in a psychiatric hospital, 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".
4. On the 6th of July you mouthed that you wanted to strike a detainee on E wing.
5. On an unknown date you are alleged to have punched a detainee on the jaw after previously being bitten by him. A senior manager asked what had happened to the detainee and neither you nor the other officers present stated what had actually taken place.
6. In early 2017 (exact date unknown) you are alleged to have seen that a detainee D275 had self-harmed, by cutting at the site of a recent hernia operation causing himself to bleed, but took no action. D275 was left in his room bleeding for at least thirty minutes.

Date due for completion 15/09/2017

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Section 2: Scope of Investigation

To investigate the allegations made by the BBC against G4S staff working at Gatwick Immigration Removal Centre, Brook House.

Interview individual members of staff where allegations have been made

Interview witnesses

Review local documentary evidence and other records

Examine CCTV and Body Worn Video Camera footage

Review Panorama footage

To report findings and conclusions to the Commissioning Authority

Section 3: Summary of interview with the alleged wrong doer (where applicable)**Allegation 1:**

On the 8th of May you said that, while on shift the previous week, you had chopped with your open hand or punched a detainee on E Wing under the chin, causing him to spit out a razor blade which the detainee had concealed in his mouth

The interview took place on the 7th September 14.00hrs at Tinsley House Immigration Centre Gatwick.

Present were John Howgate, Stephen Cotter from the Investigation Team and DCO's Derek Murphy (accused) and Joseph Marshall POA Union representative

DCO Derek Murphy stated that he has been employed by G4S for approximately 18 months working at Brook House IRC and his current role is a Residential DCO on Eden Wing.

Eden Wing houses a variety of detainees including those who are "Removed from Association" (RFA), admitted on a detox, found under the influence, requiring Methadone, on ACDT requiring constant watch or are due to be deported the next day. The unit assists with detainees who come from CSU and form part of the reintegration intervention.

DCO Murphy confirmed he completed the ITC prior to commencing work within the Centre and stated that he is trained and in date, in the approved method "Use of Force" known as Control & Restraint (C&R)

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When asked about the allegation DCO Murphy denied making the comment mentioned in Allegation 1, and any such action suggested around the allegation. He was unable to recall any specific incident stating he “can’t say for definite” if he had restrained a detainee who had placed a razor blade in their mouth.

DCO Murphy denies allegation 1 and when pressed stated that he does not know where the allegation has come from.

Allegation 2:

On the 14th of June you said of detainee D1275 who had taken spice, “look at the state of that”, “imagine bringing that home to mother” and “absolutely no sympathy for them at all...if he dies he dies”.

In regard to the comments ***“absolutely no sympathy for them at all...if he dies he dies”***. DCO Murphy admitted making these comments as these can be clearly seen and heard in the documentary (footage from the documentary shown).

DCO Murphy pointed out the fact that although he said the comments they were not said in the context that they were shown, in fact he believed the footage had been cut and put together to make it look like it was one sentence.

We reviewed the footage several times with DCO Murphy and he pointed out a slight flicker in the footage affecting the lighting and he believes that this is where the edit had taken place.

With regard to the comment ***“if he dies he dies”*** DCO Murphy explained that whilst he said this he was referring to a “Rocky” movie in which Dolph Lundgren (actor) makes this comment.

DCO Murphy stated that he said this in an accent attempting to imitate this actor. Upon reviewing the CCTV footage with DCO Murphy there would appear to be a slight deviation in DCO Murphy’s accent as he makes this comment.

DCO Murphy admits he has no sympathy for detainees who take illicit drugs such as spice and suffer an attack; he stated “that is their choice”.

When challenged about his comments he said he does care for detainees in general but has no sympathy for them when they take drugs but this does not mean he does not act in a professional manner. He stated he didn’t want anyone to die.

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When asked if these comments were made in the same room as the detainee at the time he was vulnerable and under the influence of an illicit drug, DCO Murphy said yes.

DCO Murphy acknowledged that his comments as shown in the documentary were unacceptable.

The comments listed in Allegation 2, which are not shown in the programme; ***“look at the state of that”, “imagine bringing that home to mother”*** DCO Murphy denies saying this.

When asked if this is the sort of language he may use, DCO Murphy stated that it was irrelevant and he would not be pressed any further.

Allegation 3:

On the 14th June you threatened a detainee with serious pre-existing mental health issues who was later sectioned in a psychiatric hospital, 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 alright”

DCO Murphy was asked to explain his actions as again this evidence is clearly seen and heard in the documentary.

DCO Murphy stated that the detainee had been playing up banging on the door. He went and closed the glass panel in the door and this is when the detainee spat at the glass and some spit hit DCO Murphy in the face. He described himself as becoming more frustrated at this.

DCO Murphy said this is when he is seen on footage to turn and look over his shoulder and make these comments to DCO Tulley (Callum Tulley). DCO Murphy went on to say that while these comments were said, he had no intention of actually acting them out.

We asked DCO Murphy why he would make such comments to a vulnerable person and threaten a detainee.

DCO Murphy denied it as being a threat but accepted that it did not look good. He said that it was not said directly to the detainee but admitted, when pressed, that it was said immediately outside the detainee’s room and in earshot of the detainee and in this case accepted that it may have been perceived as a threat by the detainee.

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When challenged about making this statement DCO Murphy admitted that it was neither professional nor acceptable.

DCO Murphy went on to say that although his comments were not professional he had a good rapport with the detainee and following this incident some time later he was asked to accompany the detainee to a psychiatric hospital, which he did, reassuring the detainee that everything would be okay.

DCO Murphy stated that although he was a big man he had a soft side to him and he cares and takes his job seriously.

Allegation 3 was not contested by DCO Murphy.

Allegation 4:

On the 6th of July you mouthed that you wanted to strike a detainee on E wing.

DCO Murphy does not recall this and denies mouthing such a comment.

Without any CCTV there is no evidence to support this allegation.

Allegation 5:

On an unknown date you are alleged to have punched a detainee on the jaw after previously being bitten by him. A senior manager asked what had happened to the detainee and neither you nor the other officers present stated what had actually taken place.

DCO Murphy denies Allegation 5 punching a detainee on the jaw, but does remember the incident, which was a use of force. On this date, which he can't remember, this was a response call to B wing; two other officers were there,

DCO Murphy went to control the detainees head and his finger was bitten. This he says was documented on the use of force paperwork. The detainee was then taken to the CSU and DCO Murphy went to Healthcare.

DCO Murphy does not remember a senior manager talking to him about this allegation.

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