

<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 <TRN0000007>, 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 A. Oh, yes, I remember it, sir.</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, <SXP000120> 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 A. Yes, sir. DCM, sir.</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 A. Yes, sir.</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 A. Yes, sir.</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>

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

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