

BROOK HOUSE INQUIRY

Witness Statement of Derek Murphy

I provide this statement in response to a request under Rule 9 of the Inquiry Rules 2006 dated 21.01.2022.

I will say as follows:

Culture

1. Within Brook House, staff and detainees often spoke negatively. The environment was very violent and stressful and detainees and members of staff spoke in a negative way, maybe as something of a coping mechanism.

2.

a) I do not recall making this comment but if I did, it would have been because there was a group of detainees who were known as being spice users and they were referred as the spice boys. I cannot remember who else called them the spice boys but it was common place.

b) I have viewed TRN0000095 and I do not understand the conversation or the context in which this comment was made. I worked at Brook House a very long time ago and I do not recall the conversation.

c) I have not seen TRN0000025 as it has not been sent to me. I am unable to answer this question.

d) I do not recall making this comment. I worked at Brook House a long time ago and I am unable to explain this comment.

e) I do not recall making this comment. I worked at Brook House a long time ago and I am unable to explain this comment.

f) I do not recall making this comment. I worked at Brook House a long time ago and I am unable to explain this comment.

g) I do not recall making this comment. I worked at Brook House a long time ago and I am unable to explain this comment.

3. When I applied to work at Brook House and when I attended the interview, I was not made aware of how stressful and demanding the job would be. I was not made aware of how violent and aggressive the detainees were and how bad language was an every day part of life within Brook House. Even today, the post of Detainee Custody Officer is being advertised on

Indeed.com without it being clear how awful the job is. There is no mention of the violence, mental health issues or drug abuse.

4. I do not recall ever receiving a hair cut from a detainee. I do not have much hair.

5. I have not received TRN00000090.

a) and b) On reviewing the comments, I may have been referring to the filing system where some documents go at the front, some go in the middle and some go down the back. I worked at Brook House a very long time ago so I cannot recall all the detail.

c) There was often staff shortages at Brook House and due to this, paperwork was often completed late.

d) I never removed any files that were or were not missing information. I cannot speak for other staff.

Training

6. I did complete C&R training at Brook House and G4S will have all the training records. The training itself was standard but I was not prepared for how often C&R would need to be used.

The role of a DCO and relationships with detained persons

7.

a) I did not apply for the role of acting DCM. I was put forward for the role by a Senior Manager. I cannot recall which Senior Manager put me forward for the role.

b) I cannot recall my responsibilities for the role. I shadowed another DCM for a period of time but I do not believe I was ever formally trained.

c) I do not believe I received any formal training for the role.

d) I believe that formal training over a long period of time would have been useful. As to what this may have included, I would expect it to include every role, task or responsibility a DCM may encounter. I would also like to have received a training manual to refer to.

Treatment of Detained Persons

8. I have not been provided with TRN0000024.

a) I do not remember this conversation taking place. We all say things when working in a stressful environment and when we are pushed to our limit day after day without support. Callum Tulley was always hounding me for information and stories. So much so, that it got to the point that I used to feed him fairy tale stories which seemed to make him quite happy.

b) I do not remember saying this comment.

c) I do not remember saying the comment. I do not think it is appropriate but neither do I think the workload, stress and lack of support whilst working at Brook House, was appropriate.

9.

a) I do not know what Mr Paschali meant by the comment and you would need to ask him.

b) I cannot remember the conversation and I cannot explain who I was talking to.

c) I cannot remember this conversation but it appears that we are talking about a legal boxing match.

d) I have never 'chucked' a detained person into a cell.

10.

a) From the transcript, it is clear that the detainee and I are having banter. Bad language was used but this was typical of the language within Brook House. The detainee is making jokes and is clearly comfortable in my presence.

b)

i. I cannot remember the incident. From the transcript it appears that I was called to assist with a detainee who was on a constant supervision and was becoming distressed.

ii. Every situation was different and every detainee was different. Within the conversation I am showing empathy to the detainee, I am assisting with the incident and am offering help and understanding to the detainee.

iii. I cannot recall what I was trying to achieve in the conversation but it appears that I am trying to help the detainee and prevent him from causing harm to himself.

iv. The incident took place in 2017 and I cannot recall any steps which I took following the conversation.

The transcript shows that I was called to assist in an incident when two members of staff, who had received the same training as me, were already available. This was typical of my time at Brook House. The available staff should have dealt with the incident rather than add more to my workload and causing me to be stressed and overworked.

11.

a) I cannot remember this conversation as it was a very long time ago.

b) As far as I can remember, a detainee should not be able to travel, or be booked on a flight if they are on a constant supervision.

12. Use of force is not pleasant for detainees or officers. It is clear that the detainee is in such an awful state that he has to go to such lengths as to harm himself or carry out an act where officers have to restrain him.

I believe the comment in relation to making sure the detainee would not do it again, referred to someone having a conversation with the detainee to talk to him about his issues and understand what it is that is bothering him.

13.

a) From the transcript it appears that I have suggested that terrorists should be placed in internment camps where known and confirmed terrorists are held. I am not talking about detainees. In relation to the comment "an ideal situation", it appears that I am referring to the comment I made on line 187. I was not referring to bullets as you are insinuating.

b) The comments were made in a private staff rest area. None of my personal views would have any negative effect on my treatment of detained persons.

14.

a) The comment made would have been because the detainee, having taken spice, would have been in a state and is being encouraged to stand up and fix himself up.

b) I cannot remember the conversation, but I may have been encouraging the detainee to stand up and fix himself up.

15.

a) I do not remember the conversation, but I have reviewed the transcript. It is clear to me that there is banter. Callum Tulley is laughing, and I am having banter with the detainees. There does not appear to be a level of concern by anyone present. If Callum Tulley believed the threats in the conversation were genuine, he should have reported it.

b) From what I can remember, if I witnessed a genuine threat against a detainee, it would be reported using an SIR report form.

c) I do not understand why a detainee would say that officers would smack a detainee.

d) I do not remember the conversation, but it is clear from the transcript, there is banter between myself, Callum Tulley and the detainee.

e) The comments made by me are self-explanatory. I do love guns and I used to own legal shotguns. This is not illegal, and I do understand why I am being asked about this comment. It appears to me that you are trying to paint a negative picture of me, and I do not believe you would have asked me the same questions if I had been talking about any other sports equipment.

16. I have not been given TRN0000082.

- a) I cannot recall this conversation.
- b) I cannot recall if detained persons were found in possession of improvised weapons.
- c) The security team would be responsible for preventing detainees from making weapons. They would also be responsible for instructing staff to search rooms.
- d) I cannot recall this conversation and therefore cannot explain the comments.

17.

- a) I was speaking to Callum Tulley. It was a figure of speech and it was not the best choice of language, but it was not the best environment. Bad language was frequently used by detainees and staff at Brook House.
- b) It appears to me that I am explaining to the detainee, in my own way, how he will be in trouble if he continues his behaviour. There are procedures in place for dealing with detainees who are violent and aggressive which can include withdrawing privileges.
- c) Staff did not use threats of violence. The comment made is a figure of speech in line with the bad language used throughout Brook House.
- d) I do not recall saying this comment.
- e) From the comments it appears that I am telling Callum Tulley another fairytale as he appeared to enjoy me speaking this way to him.
- i. There were no occasions where I put a detainee on the bed or by the scruff of his neck and I am highly offended at this accusation.
- ii. There were no such incidents and therefore no use of force report forms. I am highly offended at this accusation towards me.
- iii. The Inquiry is fully aware that such behaviour is not taught during DCO training.
- f. I have not been provided with any footage and have no further comment to make.

18.

- a)

i. The fact that I had no sympathy for detainees is that I have spent lots of time explaining the dangers of taking spice to detainees and yet they continue to take it. It is similar to a parent educating their child not to touch something dangerous and they continue to do so.

I am shown to quote a line from a movie which was said in jest as a coping mechanism for dealing with the situation. It is clear that my voice changes when I make the movie quote and it is clear that the footage has been edited for dramatic effect.

ii. It is not my attitude towards detained persons. I am the only one in the footage who asks the detainee (several times) if he is ok and I put him in the recovery position.

iii. My comment referred to users of spice in general. I am not giving opinions on detained persons.

b) I have no other comments to make on the footage.

19.

a) I cannot remember the conversation but it was common practice to discuss detainees who were taking spice. We were discussing work, whilst at work.

b) The comment I made was referring to a programme I had seen on TV which is clear from the transcript.

c) This does not reflect my views.

d) I cannot remember the issue that the detainee had and it is not clear from the transcript.

e) I dealt with the issue by way of de-escalation, humor and by talking to the detainee.

f) From the transcript, it would appear that I was using humor and trying to appease the detainee in order to de-escalate the situation.

i. I cannot say what the staffing levels were like on the day of incident included within the transcript. Staffing levels were a constant issue which affected our daily ability to run the centre in a secure and safe manner.

ii. I cannot answer the question as I do not know who detainee D149 is.

g) The comments referred to, reflect the relationship I had with many detainees in that we both used bad language and that was accepted by us as part of that relationship. Detainees appreciated that they could speak to me on this level and it was a positive, not a negative.

20.

a) I cannot recall the incident. If I had used force, there would be a use of force form.

b) I cannot recall the incident. If I had used force, there would be a use of force form.

c) I am not mentally health trained and I have never been trained to deal with the mental health of detainees.

d) I do not believe I mouthed the comment the alleged comment. This was fully investigated by G4S and was found to be unsubstantiated. I do not understand why I am being asked about this when it has already been formally investigated and the report is available to the inquiry.

21. This allegation was fully investigated by G4S and was found to be unsubstantiated. I do not understand why I am being asked about this when it has already been formally investigated and the report is available to the inquiry. I had an exceptionally good rapport with detainee **D275** and he gave me information in relation to contraband (spice) being smuggled into Brook House which I reported and which was found to be substantiated.

Use of Force and other incidents

22. I was not aware of any specific reviews on any use of force incidents carried out by me, other than the normal reviews of every use of force which are carried out. Any concerns on a use of force are dealt with by the PSU.

23. Every time a planned use of force was carried out, a debrief meeting was held. Debrief meetings were not held for spontaneous use of force.

24. Debrief meetings were the responsibility of senior management.

25. There was no support available for staff following use of force. If we did ask for support or a break after a planned intervention or spontaneous use of force, we were told to 'man up' and get on with writing our reports and completing other duties. I feel this lack of support has contributed to the PTSD and mental health issues that myself and I am sure, other staff, experienced and are dealing with to this day.

26.

a) When writing a use of force reports it was alone. Other staff members may have been in the vicinity but the content was solely my own, based on my actions only.

b) The content of a use of force report was not discussed with any other staff member.

Incident on 28th March 2017

27.

a) I started off as number 1 officer, I had the shield. When in the cell, I very quickly became the officer in control of an arm. I was not in control of the head whilst in the cell, whilst on

the landing or going through the corridor to go to Reception. I became the head officer once at the Reception door when the team took a break.

b) In my opinion, the footage shows that the detainee was being aggressive and was spitting which made it a difficult restraint.

c) The detainee was not hurting himself, the detainee was not hurting staff and he was not a direct threat to staff whilst in his room. If the Home Office were happy for him to stay in his room, the use of force would not be necessary. However, if it is expected and ordered (as we were) to remove the detainee from the room and present him to the Tascor staff, the only way to do this would be to use force. The moment we entered the room to get the detainee to move, he became aggressive; kicking, spitting and resisting restraint.

d) I only had the head of the detainee at the very end of the restraint. The team were instructed to carry out a cuff carry. On viewing the footage, the cuff carry was poorly executed. I do not feel we should have been ordered to do a cuff carry; the team was tired, clearly we needed replacing but there was no second team to replace staff. This is not in accordance with procedure. I feel the detainee could tell the team were tired and became more resistant. This demonstrates the staff shortages at Brook House and the problems it causes.

I held the detainees head the way I had been taught.

e) I held the detainees head as safely and as comfortably as I possibly could and I do not believe he was in any danger.

Incident on 14 April 2017

28.

a) My role within this incident was to take control of the left arm as instructed by DCM Dix.

b) The use of force report was completed to the best of my ability at the time of the incident and I believe it is accurate. I do not remember the incident.

c) I do not remember the incident and I believe I included all relevant information at the time of completing the use of force report form.

d) I carried out the instructions of my manager at the time of the use of force.

e) I am unable to answer this question. I cannot explain why the incident is not recorded on the handover log and I was not responsible for the log. The only assumption I can make is that it is due to staff shortages. I was working on E Wing, I was called to D Wing to take part in the restraint (despite other officers being available on D Wing) and then I had to deal with the restraint and then work with the detainee on E Wing. I had a good relationship with the detainee as explained earlier in this statement.

Incident on 4 May 2017

29.

- a) I do not remember the incident but my paperwork reflects my involvement.
- b) The incident occurred over 5 years ago but I would have used Home Office approved techniques as stated in my paperwork.
- c) I do not remember the incident and I therefore do not remember if the detainee had a razor blade in his mouth. It was not uncommon for detainees to use razor blades in an attempt to harm themselves or others.
- d) I do not remember the incident and therefore cannot answer this question.
- e) I have never punched a detainee.
- f) I have not been given access to TRN000004
- i. I have never said the statement Callum Tulley claims, nor have I performed the action he claims. There was a thorough investigation carried out into this allegation by G4S and it was found to be unsubstantiated.
- ii. I did not perform the action Callum Tulley claims and I do not remember saying that to Callum Tulley.
- iii. I did not perform the action.

Incident on 9 May 2017

30.

- a) I do not recall the incident but on reading the report, I had control of the right arm.
- b) I cannot remember the incident but from reading the reports it is clear that the detainee was asked to walk by the number 1 officer. I did not include this in my report as the procedure for writing a use of force report (which is a statement of one's actions) is to write what actions you did, not what others did.

Incident (1) on 22 May 2017

31.

- a) I do not remember the incident but from viewing the use of force report, I had control of the detainees head.
- b) I do not remember the incident but the use of force report reflected my actions during the incident. I have no reason to question any of the paperwork and I am only responsible for recording my own actions.
- c) I do not remember the incident and therefore having nothing to add.
- d) I cannot remember the incident but I would only use of force when it was necessary.

32.

- a) The conversation appears to relate to the use of force against D52 on 22 May 2017.
- b) If Joe Marshall had an issue about where the restraint took place, he should have raised it with a manager. I followed the instruction of the manager.
- c) Joe Marshall is entitled to his opinion and if he had an issue with my actions, he was free to report it at any time. I took control of the detainees head using Home Office approved techniques as is shown in my use of force report form.

Incident (2) on 22 May 2017 with D2034

33.

- a) I cannot remember the incident but from viewing document CJS005618, I searched the detainee and spoke to him.
- b) I cannot remember the incident but from viewing document CJS005618, I searched the detainee and spoke to him.
- c) I was not involved in the use of force. If I had been involved, there would be a use of force report form submitted by me.
- d) I do not remember what steps I took following the use of force taken by the other members of staff but I would have spoken to the detainee and calmed him down.
- e) It seems from the paperwork that I did raise my voice and that this had the desired effect since the detainee calmed down.

Incidents on 10, 11, 16 June 2017 which relates to allegations of assault by D2953.

34.

- a) There was no incident. I did not punch the detainee, let alone several times as he claims.
- b) There was no incident.

35.

- a) I do not recall this incident. I did not and would not punch a detainee.
- b) I do not recall this incident. I did not and would not punch a detainee.
- c) I do not recall this incident. I did not and would not punch a detainee.
- d) I do not recall this incident. I did not and would not punch a detainee.

36.

- a) I do not recall this incident.
- b) I do not recall this incident.
- c) I do not recall this incident.
- d) I do not recall this incident. I do not recall shaking a detainees hand and apologizing.

37.

- a) I do not recall being told about any allegations in relation to the incidents.
- b) I do not recall being asked about my version of events in relation to the incidents.
- c) I was unaware that allegations had been made against me.
- d) The first time I was made aware of the allegations is when I received Annex B from the Inquiry.

38. I am unable to answer the question as the document referred to has not been made available to me.

39. I am unable to answer the question as the document referred to has not been made available to me.

Incident on 13 June 2017 with D2264

40.

- a) I do not remember the incident but the use of form details the action I took.
- b) I do not remember the incident but as my reports states, I would have used home office approved techniques.
- c) I do not remember the incident but any action I took would have been necessary and would be included in the use of force report.

Incident on 20 June 2017

41.

- a) I do not recall the incident, but I am able to answer the questions from reading the evidence provided.
- b) I did not hit the detainee with my fists in his chest. I used open hand palms to get the detainee away from me, in a defensive action.
- c) I do not recall calling the detainee a 'fucking idiot'.

- d) Looking at the documents and the footage, I consider my actions to have been necessary and proportionate.
- e) I do not believe I laughed in a detainee's face.
- f) I do not recall giving a detainee tobacco.

Incident on 28 June 2017

42.

- a) My role was number 1 officer and upon entering the room I placed the shield between the detainee and myself and my colleagues.
- b) There was a briefing in relation to the planned use of force.
- c) I cannot recall who decided to use a shield, but they were always used in a planned use of force.
- d) I have no further information to add about the incident.
- e) I am not aware of any inaccuracies in the use of force reports, or what the G4S actions around any such inaccuracies would be.

Incident on 30 June 2017

43.

- a) From my recollection, the incident involved me stopping a detainee from jumping on the netting.
- b) I was attempting to stop a detainee from jumping on the netting to stop him from hurting himself and disrupting the regime.
- c) I was attempting to stop a detainee from jumping on the netting to stop him from hurting himself and disrupting the regime.
- d) I received no support or assistance from G4S in relation to the incident.

Incident on 6th July 2017

44.

- a) I do not have any comments to make in relation to this allegation other than it did not happen and when fully investigated it was found to be unsubstantiated.
- b) There are no occasions where I said or mouthed that I wanted to strike a detained person.

Incident on 7 July 2017

45.

a) I do not remember the incident but from the document provided, I was called to assist with a detainee on E Wing who was committing acts of self-harm.

b) There is nothing for me to add regarding this incident and from what I can see from the use of force report form, it was a straightforward use of force incident.

c) From the documents you have provided, it is clear that detainee did not strike the staff member. There was an attempted strike, not a strike. These are two different things. I do not recall the incident but if it is not in my use of force paperwork, it would be because I did not witness it.

Incident in 2016 where I was bitten by a detained person

46.

a) I was bitten by a detained person whilst working at G4S.

b) I do not recall details of the incident other than I believe the detainee attacked a manager. There was a first response called and I attended to provide assistance.

47. I did not 'upper-cut' a detained person. If a detained person had an injury ("his lip was all over the place"), surely a member of staff or a member of the healthcare team would report it and arrange treatment. Detainees were able to report injuries to themselves or others, by many avenues.

Alleged incident in Spring 2017

48.

a) The accusations made by Owen Syred are completely false. In his evidence to the Inquiry, he claims that I was very influential, intimidating and dominant and that I went about Brook House, unchallenged. He also states that he was afraid to make complaints himself and that he lacked confidence and alleges that this is why he did not make a complaint. Yet, in the next breath, Owen Syred claims to have pulled me to one side and told me off, telling me in no uncertain terms do I behave in that way in front of him again; and that if I did, he would report me.

The Panorama Programme

49. I received a letter from the BBC dated 24 August 2017. I spoke to Ben Saunders who said he would call me back. When he called me back, he told me that I was suspended. I was shocked and surprised.

50. It was a long time ago and I cannot remember but I do not believe I spoke to my colleagues about the letter.

51.

- a) During the phone call with Ben Saunders, he told me that I was suspended.
- b) My reaction to being suspended was shock and surprise.

52. I was interviewed by G4S following the airing of the programme.

- a) The interview with G4S took place a long time ago and I do not remember why I made the comment “It’s irrelevant” when asked about the comment “imagine brining that home to your mother”.
- b) The interview with G4S took place a long time ago and I do not recall why I declined to watch additional footage.

Disciplinary/PSU Investigations

53. On reading the documents that the Inquiry have sent me in relation to the disciplinary proceedings:

- a) During the G4S investigation I apologised for the comments I had made, and I was remorseful. I was given a final written warning.
- b) In relation to the ‘mitigating operational pressures’ I believe I was referring to the harsh environment and staff shortages where staff were put under extreme pressure day after day and were subject to violence and threats of violence on a daily basis. I feel I was overused for planned interventions and C&R and did not receive any help or support from the senior management team despite raising the issue.
- c) I showed remorse for comments I made in the heat of the moment whether filmed or not. Brook House was a harsh environment, and the culture was such that detainees and staff used bad language all the time. It was part of everyday life at Brook House. Bad language went unchallenged by all staff, including senior managers, Directors and home office staff.

I find the question offensive and condescending in that you are suggesting I am only showing remorse because the words I said were filmed. This is not so. Now that I am away from the toxic environment that is Brook House, I can see how using this language would look to anyone who has never experienced such a harsh environment.

54. CJS0073152 is the letter confirming the revocation of my security certification by the Home Office.

- a) I had no further contact from G4S regarding the letter.
- b) My feelings on the revocation of my security certification are not relevant to the Inquiry.

55. I appealed against the decision as I felt I was a fit and proper person to hold the security certification. I accepted that I had used bad language and that it was wrong to do so, and I showed remorse. Considering that the use of bad language was commonplace, I did not feel that appealing the decision was unacceptable.

56. The right of appeal was never truly available to me as is evident from the handwritten text within document HOM005816. My feelings on this matter are not relevant to the Inquiry.

57. I cannot recall any further interviews. My feelings on any such matters are not relevant to the Inquiry.

Other complaints and SIR's

58. Document CJS001155 refers to a complaint made in relation to the noise coming from a washing machine. The noise complaint occurred during a night shift when I was washing clothes for a detainee who was on constant supervision. The detainee had asked me to do it for him, as it had not been done during the day.

- a) I do not remember what policies were in place relating to noise levels within Brook House.
- b) I do not remember what policies were in place to ensure detainees were able to sleep, within Brook House.

59. Document CJS005020 relates to threats made against me by a detainee who had a history of violent and threatening behaviour and who had arrived from the police station having been arrested for fraud, affray, blackmail and public disorder. The detainee was a drug user.

- a) I was not made aware that a threat had been made against me.
- b) Threats against staff were commonplace in Brook House. A large percentage of detainees had a history of violence. It was not uncommon to deal with detainees who had committed serious crimes such as rape and murder.

There were no steps taken to reduce the threat being carried out against me.

60. Document CJS004627 is a security intelligence report that I completed on 7 July 2017.

- a) I cannot remember what the policy was in relation to security intelligence reports.
- b) I am unaware as to what action was taken as a result of the report I submitted.

c) From what I can remember and considering level of drug abuse within Brook House by detainees, SIRs did not seem to be effective at reducing drugs within Brook House.

Why did the Inquiry not challenge this blatant self-contradiction? He was not challenged on this inconsistency.

b) I did not apologies to Owen Syred as the conversation did not happen and I had nothing to apologise for.

c) I do not understand the question. I believe Owen Syred is lying to enhance his self-importance.

I believe that the facts stated in this witness statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

I am willing for this statement to form part of the evidence before the Inquiry and published on the Inquiry's website.

Signed:

Signature

Date:

06/02/22