
Second Witness statement of Ioannis Paschali

I, Ioannis Paschali, state the following which I am writing in response to the Rule 9 request for a witness statement, received from the Brook House Inquiry in relation to Annex B to the S.21 Notice dated 4 November 2021:

Background

1. I have reviewed document CJS005655 at Row 259 which records that I worked at Brook House from 25/04/16 to 10/06/17. I believe this may be correct, but I cannot remember for certain.

2. I have reviewed document CJS000632 at row 19, which states that I resigned on 10 June 2017. I resigned from G4S because I found a new job.

3. My employment status whether it be unemployed or employed is not relevant to the Inquiry. It is not within the Terms of Reference.

Training

4. I have reviewed CPS000061-64. I cannot recall if there was any additional training relevant to the matters under investigation by the Inquiry.

Incident on 25 April 2017

5. I have reviewed documents CJS005964, CPS000026, CJS005973, SXP000127, CJS000804, CJS004301, CJS004302, CJS004318, SXP000013, SXP000105, SXP000120, HOM003056, SXP000145, HOM000082, CPS000002, CPS000003, SXP000126, CPS000019, CJS001107, CPS000004. I have reviewed the footage KENCOV1007: V2017042500020 (at 08:47-26:36), V2017042500021 (at 00:00-27:49), V2017042500023 (00:00-01:00), BBC000596 - KENCOV3012. My account of the incident is as given in my statement to Sussex Police.

6. In relation to the incident, it is quite clear that a lot of assumptions have been made based on hearsay and idle chit chat. It is also quite clear that Callum Tulley had an agenda and wished to sensationalise situations and incidents, which is unfair.

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7. In relation to Charlie Francis, I feel that he has changed his statements throughout the process because he realised that it was, he who mocked Detainee **D1527** I also feel that he has made judgements and statements based on what the programme made the incidents look like. He clearly wanted his job back so when speaking to the Home Office, he told them what they wanted to hear. For example, "I nudged him" and "went too far". I was either attempting to murder Detainee **D1527** or I was not. There is no middle ground. If he genuinely believed that I was doing something that was completely wrong there should have been a very clear command given such as 'Yan stop!', 'Staff stop', 'Staff help needed!', 'Yan needs to leave this incident!'. None of this happened. The truth of the matter is that I was attempting to save Detainee **D1527** life. I gained compliance and I did save his life.

8. If Charlie Francis honestly believed that I was attempting to murder or harm Detainee **D1527** he should have released his arm immediately. He did not. If he honestly believed I had harmed or intended to harm Detainee **D1527**, he or anyone involved in the incident, could have reported the incident to Managers or to the Police at the time, or at any time after. They did not.

9. I do not blame Charlie Francis. I do not blame the Home Office. I do not blame the Inquiry. I blame the BBC and Callum Tulley for making a programme in a way that does not portray the whole truth of what actually happened. The problem that Charlie Francis has is that he is terrified of what it looks like in the media and to the public because of the way it has been portrayed. It is easier for someone like Charlie Francis to make claims about nudging me, or not writing a statement, after the incident when being questioned many months later, when his job is at risk and he knows at that point; the Home Office is not interested in the truth but is seeking to lay blame.

10. Following his statement to the Home Office on 14th September 2017, Charlie Francis was visited by Sussex Police on 4th November 2017 at his home address where a conversation was documented. Charlie Francis refers to a battery when talking about the incident. He did not say to the Police that I went too far, he did not say I "choked" the detainee, he did not say there was an illegal use of force, and he said that he saw me at a computer where he assumed I was doing paperwork.

11. I used the language I did, in order to gain compliance; I gained compliance. At no point did I mock Detainee **D1527** I did not ask him if he was a man or mouse. I did not tell Detainee **D1527** to stop being a baby. Those comments were made by someone else.

12. I would like to refer to the letter dated 19th March 2019 from C Pickering, Specialist Prosecutor for the Crown Prosecution Service which states, "The suspect's words and actions must be judged not against the norms of everyday society, but against the atmosphere of

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brutality and unpredictability that pervades Brook House and the self-harming history of your client of which the suspect was acutely aware.” I have never met C Pickering in my life.

13. I braced Detainee [D1527] neck to prevent him from swallowing a battery. I did not apply any pressure to Detainee [D1527] neck. Detainee [D1527] did not sustain any injuries.

14. There is reference within the documents provided by the Inquiry, to marks around Detainee [D1527] neck; there is also much reference to the fact, that by his own admission; he put things around his own neck that day and strangled himself many times.

15. I am unable to say which parts of Detainee [D1527] neck I braced. Unfortunately, I do not have a Biology/Anatomy degree. I braced Detainee [D1527] neck in an attempt to stop him from swallowing a battery. I was not applying any pressure to Detainee [D1527] neck.

16. The action I took was to prevent Detainee [D1527] from swallowing a battery.

17. At the time of the incident, I considered my actions were necessary and proportionate.

18. Hindsight is never an option available to an Officer in real-time, life-threatening situations. If I was in the same situation again, I would do exactly the same. Detainee [D1527] was not injured, and I prevented him from ending his own life.

19. There is a danger of setting a precedent that many Detainee Custody Officers and Prison Officers, on reviewing this Inquiry, will receive a loud and clear message that if in doubt; do not touch a Prisoner or Detainee, even if he might die.

20. I have received CPS000019. The incident occurred many years ago and I do not remember all the details, but I do not believe my police statement was inaccurate or incorrect. I know I would have told the Police the truth.

21. I would also like to refer you to the letter dated 19th March 2019 from C Pickering, Specialist Prosecutor for the Crown Prosecution Service. I have never met C Pickering in my life.

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22. I have no comments that I wish to make in relation to SXP000127.

23. I have reviewed CJS005973 at page 8 in which DCO Francis alleges that he nudges me during the incident. In the meeting notes on Page 8, Charlie Francis does not say that he is nudging me to try and stop me. In fact, he does say anything about trying to stop me. What he does say is that he should have reported me, afterwards. If he felt he should have reported me, he had ample opportunity to do it following the incident and in the months that followed. Clearly, what is happening here, is Charlie Francis is responding to the structured questions from G4S who are desperate to get the answer that fits the agenda. During any restraint/medical emergency where 4 people or more are on the floor, there is almost always barging, touching, nudging or contact with others. If any one Officer sees something happening that is dreadfully wrong or does not approve of something; the procedure is to give a clear and loud command to the individual to remove himself/herself from the incident. Not one person felt at the time to give such a clear instruction and to move me out of the incident and replace me with another member of staff. Not one person gave that instruction.

24. I have reviewed CJS005964. I have been asked why my notes make no reference to any control and restraint techniques or use of force on 25 April 2017. What you are doing here is terrible. Notes were not made by me, because I was not the Officer responsible for this at that time. The Detainee was under constant observation that day because of the risk of suicide. That means, at all times an Officer is to be present, sitting or standing by his door and observing him all the time. Either at 15-minute, 30-minute or 1-hour intervals; observations are to be put into the document, depending on what is happening at the time the Officer is making the observation.

25. The interaction between myself and Detainee **D1527** that is documented on CJS005964 shows that we had a good relationship. He apologized to me, for the stress he had put me through on that day. Detainee **D1527** was under Rule 40 which meant he was not allowed out for a shower, and because of what he had done that day, was not allowed out at all. If you check the rules of the establishment; no one is allowed out after 21:00, especially on E Wing and especially those on Rule 40. That was the rule at the time. I took a personal decision because of the relationship we had, to let him have the shower because he wanted to pray, and he wanted to be clean in order to do that. I remember we had a good conversation and hugged each other. I am sure I said this in my police statement.

26. The person who should have made the observation regarding the incident, was Callum Tulley because he was on the constant observation at the time it occurred. No individual Officer would be on a constant observation all day; it was swapped around so that each Officer got a break. What you are doing is quite disgusting; the incident occurred way before I was on the constant observation. If you check CCTV footage of E Wing landing, around 21:00 or thereafter, this will show the positive interaction between myself and Detainee **D1527** that I refer to. G4S should be able to provide this footage; if they do not, it is unfair and unjustified.

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27. I have reviewed CPS000002, CPS000003 and CPS000004. In document CPS000002, Mr Collier concludes that “The technique used by DCO Paschali does not reflect the MAT and it can in no way be interpreted as attempting to apply the MAT. The pressure used by DCO Paschali was more to the centre of the neck and appeared to be either side of the windpipe. His actions appear deliberate and not a simple misapplication of an approved technique. The verbal dialogue given by DCO Paschali does not reflect the communication strategy expected of staff.” Mr Collier is gravely mistaken and completely wrong in what he has said in relation to this incident, and I am disgusted that he would try to use his knowledge in this way. The MAT technique is a technique that is used by applying force in the space between the jawbone and the eardrum. It is not in any way shape or form, taught by the Prison Service as a way of stopping someone from trying to choke themselves to death with an article in their mouth. I never once said I was trying to apply the MAT technique.

28. I explained myself quite clearly to Sussex Police and to the Home Office that I did what I thought was necessary at the time, to stop Detainee **D1527** from choking on the battery and trying to kill himself. I never once mentioned the MAT technique as I did not believe the technique was appropriate for the situation I was in.

29. I would like to reiterate given the incident that I was in, Mr Collier should well know there is no approved technique for dealing with a Prisoner or Detainee who is attempting to swallow an item to end his life. Mr Collier should show the Inquiry the written procedure for how to deal with a Detainee who is attempting to choke himself in order to end his life. As an Officer, I was taught:

SECTION 76 – CRIMINAL JUSTICE & IMMIGRATION ACT 2008

“Reasonable Force”

“A person who uses force shall be judged on the basis of circumstances as they perceived them, that in the heat of the moment they will not be expected to have judged exactly what action was called for, and that a degree of latitude may be given to a person who only did what they honestly and instinctively thought was necessary. A person is entitled to have their actions judged on the basis of their view of the facts as they honestly believed them to be, even if that belief was mistaken.”

30. Mr Collier's report states that no commands were given by me or any other Officer with regards to there being an article in Detainee **D1527** mouth or the fact it was a medical emergency. Mr Collier even comments on the complete lack of communication during this incident. The reason for this is a simple one. We all knew what we were doing and we did not need to communicate, as this incident had been repeated many times that day. By Detainee **D1527** OWN ADMISSION, he had already attempted to swallow a battery, self-strangulate and self-harm many times that day. He told Officers that they would need to restrain him and that he would end his life that day. When Mr Collier is looking at a

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single incident that took place once, his comments are valid. If, on the other hand, you are looking at the tail end of multiple, almost identical incidents; then his comments are unfair and unjustified.

31. Mr Collier, by his own admission, had viewed the programme when it aired on the BBC, and before he was asked by the Inquiry to be an expert witness. The programme was an edited version of events which sought to paint a picture of those involved, especially myself. Having seen the edited version of the incident, followed by the emotion showed by Mr Tulley afterwards; Mr Collier had wrongly reached a biased decision based on the movie. As Mr Collier is a Use Of Force Expert; perhaps he can make a recommendation to the Service that the same individuals are not used for use of force incidents or medical emergencies throughout the day and that everyone is trained the same, so the same members of staff are not used over and over. If an Officer has been involved in a Use of Force or medical emergency once, you should not be used again that day. If this was the case, maybe a fresh set of eyes would have helped; I did what I felt was the best I could do at the time, given the situation I was in.

32. I used my hands to brace the Detainees neck, to stop him from swallowing the battery and ending his life. There is no training or technique for this type of incident and anyone who tells you otherwise is blatantly lying. You do what you feel is best at the time to save someone's life. Section 76 of the Criminal Justice & Immigration Act 2008 states:

SECTION 76 – CRIMINAL JUSTICE & IMMIGRATION ACT 2008

“Reasonable Force”

“A person who uses force shall be judged on the basis of circumstances as they perceived them, that in the heat of the moment they will not be expected to have judged exactly what action was called for, and that a degree of latitude may be given to a person who only did what they honestly and instinctively thought was necessary. A person is entitled to have their actions judged on the basis of their view of the facts as they honestly believed them to be, even if that belief was mistaken.”

33. Mr Collier was not an eyewitness to the incident. Mr Collier is unable to measure ‘pressure’ through a TV or computer screen.

34. Mr Collier, as a Use of Force expert, has previously given evidence in the cases below and I believe the extracts are relevant to the Inquiry:

EMT Employment Appeal Tribunal

Before Her Honour Judge Eady QC

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Appellant: Secretary of State

Respondent: Mr Lown

Appeal No. UKEAT/0082/15/BA, UKEAT/0130/15/BA

‘Mr Collier accepted that there are times when techniques have to be adapted and improvised of a maximum protection.’

Employment Tribunals

Before Employment Judge Maidment

Claimant: Mr AR Neil

Respondent: Secretary of State for Justice

Case No. 1810803/2018

‘Mr Collier explained that there was no definitive answer for the situation, saying that is the case in any situation and that they looked to people to make judgement calls. At one stage he referred to “the adrenaline, all the other emotional factors that are affecting those involved in the physical restraint”. ‘

‘He further stated “We understand in the extreme circumstances that the level of force can be used, will be dependent on the individual perception at the time, however, it is not something that I would say would be taught at that stage”. Defensive strikes were for exceptional circumstances where there was a risk of harm to someone. He agreed that a knee strike could be classed as a defensive strike if it was in circumstances where the perpetrator was at risk of harm.’

‘Mr Collier was asked to comment on why the Claimant had used a knee strike. He said that he wasn’t in a position to comment on the Claimant’s thought process. It was not his decision to say whether that was right or wrong. The Claimant reiterated his perception and reasons for delivering the knee strike. Mr Collier repeated that he couldn’t talk about the Claimant’s individual perception. Mr Collier then accepted that the same methods of control and restraint could be used when the prisoner was in a prone position. Mr Collier also accepted there was “an obvious risk” to safety from this particular prisoner in all the circumstances. He went on “...the decision making a judgement I will imagine will be a lot higher than people working in other environments, not only at Full Sutton but in other prisons”.’

‘Mr Collier also said that there was no definitive answer for all situations and that people had to make judgement calls.’

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'He agreed there were grey areas regarding the use of force. He recognized that risk, adrenaline and emotional factors affected those involved in a physical restraint.'

35. According to some of the above comments made by Mr Collier, if I had delivered a knee strike to Detainee [D1527] head; this would have been acceptable, given the circumstances and the fact he was at risk of harm. I did not; I made a judgement call to, give a robust high level command, using extremely distasteful language in order to shock, gain compliance and braced Detainee [D1527] neck. I feel that what I did, for the situation I was in; was safer than delivering a knee strike to the head as Mr Collier suggests.

36. I feel the comments by Mr Collier in the cases above are justified and reasonable, in explaining incidents that an Officer may find himself/herself in. The Inquiry must question why the same fair analysis is not being applied in this matter. I believe it is because of the media coverage and the programme that it has not. I did what I believed was best at the time in order to save [D1527] life.

37. I have reviewed TRN000077 and cannot see the text referred to in Annex B. I have not reviewed KENCOV1015 as it has not been provided to me. I do not recall the conversation referred to in this document and I am unable to say what it was related to.

38. When referring to Nurse Jo Buss, I am unable to say what the rest of the sentence was as it was over 4 years ago.

39. I do not keep official records at home, and I believe this would constitute an offence if I did. The report relating to the incident was left on the desk/pigeonhole.

40. I do not believe I had a conversation with Nurse Jo Buss regarding an incident report. Nurse Jo Buss approached Callum Tulley to ask him about the report, not me.

41. I have reviewed KENCOV1007 V20170425000021 and BBC000596 - KENCOV3012. I have reviewed transcript TRN0000038.

42. My understanding of when a use of force should be recorded is, immediately after an incident. What should happen is that anyone involved in a use of force should be allowed to go to a quiet area and be given 45 minutes to calm down and to write their paperwork. More time should be given if needed. This can only happen if those staff are replaced with other staff to take over the unit or their jobs. If you are not relieved, you must carry on working. Therefore, my comment "As it stands, no use of force report, as it stands" meant there was not one at that particular time.

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43. I would like to refer to the letter dated 19th March 2019 from C Pickering, Specialist Prosecutor for the Crown Prosecution Service which states, "The words used by the Suspect are "As it stands, no use of force, that's your answer, just hold fire". This instruction is clearly a temporary one with the option open to the suspect to come back and advise that the forms be completed. I cannot see a reason given by the suspect as to why this was said but these words and actions are not such that I can advise a charge of misconduct in a public office." I would also like to add that I do not know and have never met C Pickering in my life.

44. I did record a use of force, later on that day whilst still on the wing working, when I found a moment to fit it in. I left it on the desk/pigeonhole which is a tray that was on the desk for the use of force documents. This was not procedure, this was not policy but unfortunately; this was common practice.

45. I did not ever tell Callum Tulley not to write a report. I was not a DCM, Senior Manager, Governor or Department Head. It was not my decision as to whether other staff completed paperwork. Neither Callum Tulley nor any other staff member had any reason to speak to me regarding their paperwork. Each Officer is responsible for completing their own paperwork and each Officer has received training on how to do so.

46. Again, I would like to refer to the letter dated 19th March 2019 from C Pickering, Specialist Prosecutor for the Crown Prosecution Service which states, "The words used by the Suspect are "As is stands, no use of force, that's your answer, just hold fire". This instruction is clearly a temporary one with the option open to the suspect to come back and advise that the forms be completed. I cannot see a reason given by the suspect as to why this was said but these words and actions are not such that I can advise a charge of misconduct in a public office." I have never met C Pickering in my life.

47. In relation to the claim "In the second clip Callum Tulley states that you told him there would be no use of force report as approved by Steve Dix", from the footage you have supplied; the only person who referred to 'no paperwork as per Steve Dix', was Callum Tulley himself.

48. I have reviewed KENCOV1007 V20170425000023. I did not give a response to Callum Tulley's comment "Yan that come from Dixie, so that cool yeah"; as the footage shows. I do not ever recall Steve Dix saying not to do paperwork. I do not believe that is something Steve Dix would have said. It is not something he had ever said before. From this statement and others, it is clear that Callum Tulley has an agenda which is not the welfare of Detainees or staff; but, to make a movie. Callum is talking to myself, and another Officer and it is not clear or definite, as to who is talking, in the footage you have provided.

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Other uses of force

49. I have reviewed CJS000894 and CJS005532. I do not have any further relevant details to add relating to the use of force incident against D2559 on 28 April 2017. I believe the force used was necessary and proportionate as the Detainee tried to punch me and I needed to protect myself, so I gave him one firm push. I did NOT punch him, kick him, break any bones, mock him, abuse him, twist any limbs, break any sinks, cut him with a razor blade, nor did I practice any martial arts on the Detainee or any other Detainee at Brook House or any other establishment.

50. I have reviewed CJS005540 and CJS000897 I do not have any further relevant details to add relating to the use of force incident against D2389 on 9 May 2017. I believe the force used was necessary and proportionate. I did NOT punch the Detainee, kick him, break any bones, mock him, abuse him, twist any limbs, break any sinks, cut him with a razor blade, nor did I practice any martial arts on the Detainee or any other Detainee at Brook House or any other establishment.

51. I have reviewed CJS000897 and CJS005545 which relate to a use of force against D1020 on 10 May 2017. I do not have any further relevant details to add. I believe the force used was necessary and proportionate. I did NOT punch the Detainee, kick him, break any bones, mock him, abuse him, twist any limbs, break any sinks, cut him with a razor blade, nor did I practice any martial arts on the Detainee or any other Detainee at Brook House or any other establishment.

52. I have reviewed CJS000897 and CJS005550 and I have reviewed KENCOV1019 V2017051700004 which relate to a use of force against D1523 on 17 May 2017. I do not remember this incident in any detail as it was a long time ago. All that I can say is that the Detainee was not being violent or aggressive and I do not understand why he needed to be moved to E Wing. I believe the force used was necessary and proportionate. I did NOT punch the Detainee, kick him, break any bones, mock him, abuse him, twist any limbs, break any sinks, cut him with a razor blade, nor did I practice any martial arts on the Detainee or any other Detainee at Brook House or any other establishment.

53. I have reviewed CJS005651, TRN0000014, Disk 50 UOF Cam 3 MP4, Disk 50 UOF Cam 2 MP4 and KENCOV1025 V2017052700020. This evidence relates to a use of force against D1914 on 27 May 2017. From my memory of this use of force incident, I was told that the Detainee needed to be relocated to E Wing and he was refusing to do so. On instruction from the DCM, he would be placed under restraint and moved to E Wing. I believe I took control of an arm when instructed and we walked him to E Wing. Healthcare were present.

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54. My personal opinion was that the Detainee did not need to be moved to E Wing because he was not being violent, aggressive or obstructive on the wing, but those were not decisions for DCOs. I do not know why there was a fascination with moving people to E Wing when they were not being violent or aggressive and I felt they should have been left where they were in those circumstances.

55. I believe the force used was necessary and proportionate. I did NOT punch the Detainee, kick him, break any bones, mock him, abuse him, twist any limbs, break any sinks, cut him with a razor blade, nor did I practice any martial arts on the Detainee or any other Detainee at Brook House or any other establishment.

Treatment of detained persons generally

56. I have reviewed document CPS000026, BBC000596 KENCOV3012 and BBC000597 KENCOV3013. TRN000038 and TRN000039 were sent to me, and I have reviewed these. They are purely Callum Tulley's account of something. I have not seen any evidence in relation to the comments he claims I made.

57. I did not commit any of the acts which Callum Tulley is claiming. If I did, there would be records of hospitalisation, complaints, medical records and Officers records. There are none, because I did not commit these acts.

58. In relation to the extremely dramatic piece to camera and comments made by Callum Tulley: When referring to the ligature that [D1527] had around his neck, Callum Tulley says "we" when referring to it being removed. It was me and only me who removed the ligature from Detainee [D1527] neck. This shows a duty of care by me. Callum Tulley had no duty of care; he did not remove the ligature from Detainee [D1527] neck, neither did he contact the police. Neither did he release Detainee [D1527] arm. Someone who wishes to choke a person, would not remove a ligature from that person's neck.

59. Callum Tulley is so upset that he has burst into tears and cannot control his tears, but what does he do? He gives a piece to camera with fantastic effect, from the comfort of his own home, stating how he thought I was genuinely going to kill [D1527] At no point did he think, 'I need to call the Police as I have just witnessed an attempted murder'. At no point does the male he is speaking to, who is a party to the film making, either suggest that he needs to call the police or call the police himself. These are false allegations, with the primary motive being to create the dramatic scene for the Panorama programme.

60. A full and thorough police investigation and a full CPS review was carried out into the incident. I am grateful for the documents the Inquiry has provided to me, which I had not seen before. DL0000120.pdf proves that I was completely exonerated of the ridiculous,

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dramatic accusations made by Callum Tulley during the making of the movie. I find it appalling and disgraceful that the Police had to obtain a Court Order to get the full unedited footage from the BBC. Surely, if Callum Tulley and the BBC genuinely believed I had committed attempted murder they would have been fully cooperative with the police investigation and it would not have taken for the police to go through the process of obtaining a court order, to force the BBC to release the full footage showing what really happened.

61. I do not know anyone in this world who would witness an 'attempted murder' who would then do nothing to stop it, do nothing to report it to the police, and who would go home and make a piece to camera. Callum Tulley claims to have feared for D1527 life, and felt he was in grave danger. If he himself believed this was true, he should have made sure I was taken out of Brook House immediately.

62. I find it even more upsetting that everyone involved in the Inquiry, from the Chair down, are highly educated, learned people with legal backgrounds and expertise and yet they do not ask themselves these same questions.

63. This entire situation and the last 5 years of my life, I have suffered greatly with mental traumas of my own. I have given 12 of the best years of my life to the service of the Crown. I have witnessed deaths in custody, most serious acts of self-harm, prisoners plunging prisoners in the neck in front of me and their blood squirting across my face, to mention but a few incidents that haunt me on a daily basis. Yet I feel the things that I am pointing out to the Inquiry, learned people like yourselves, should not need a 'dumb ass screw' like me to point out to you. You will never know the suffering that making this statement has caused me and neither will you care. May God have mercy on your souls.

64. It is not possible for me to comment on accusations made by someone with a personal and financial motive, who is making a movie. Callum Tulley was always fishing for stories. Officers spoke about things in front of him because it got a reaction. He was a running joke. He fished for stories and that is what we gave him. Stories.

65. I have not seen another member of staff commit any of the acts that are described in the documents provided to me.

66. It is alleged that I stated on 6 June 2017 while working at HMP Wandsworth, that if a prisoner hurt an officer then they would get their arms and legs broken, and their legs twisted. I did not commit any of the acts which Callum Tulley is claiming. If I did, there would be records of hospitalisation, complaints, medical records and Officers records. There are none, because it is not true. It is not possible for me to comment any further than this, on accusations made by someone with a personal and financial motive, who is making a movie. I

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would need to see hard evidence to comment on things that I am supposed to have said over 4 years ago.

67. Callum Tulley was always fishing for stories. Officers spoke about things in front of him because it got a reaction. He was a running joke. He fished for stories and that is what we gave him. Stories. There are no incidents relating to the allegations made by Callum Tulley because they did not happen.

68. I have reviewed CPS000026 and TRN0000077. I have not reviewed KENCOV1015 as this has not been made available to me. I have not performed any of the acts described in these documents.

69. It appears to me from the transcript, that myself and the other Officers are winding Callum Tulley up which is something we used to do frequently. Callum Tulley was always fishing for stories. That is what we gave him, stories. Officers spoke about things in front of him because it got a reaction. He was a running joke.

70. I have reviewed SPX000145 and HOM32221 in which D1527 is recorded to have stated: "I kept asking to go to the mosque for two days. I asked an officer called Yan who would often be on E-wing. I remember him very well; he is bald, and relatively well built. He was always very rude to me. He would treat me very badly, like I was not important to him at all. It made me feel like I was worthless. He would seem to think that he was the boss and I was the prisoner, and therefore he can do whatever he wants. I felt he didn't like me. I don't know whether he didn't like me because I am a Muslim, but I believe so. I asked Yan if I could go to the mosque, and he said "I'm not going to take you to the fucking mosque".

71. I believe that Detainee [D1527] has been guided by his solicitors to make the above statement. In his statement to the Police, the person he is referring to as being rude to him is also described as having a tattoo on the side of his head. I do not have any tattoos. In his original statement to the Police, he says he doesn't really remember names and mentions Dan or maybe Yan, for example. He also is unsure or does not remember much detail. Yet now, with great certainty he states that it was me and that I was rude to him and would not take him to the mosque because he was a Muslim. It is quite apparent to me that once his solicitor became involved, he is certain of all details and no one is questioning [D1527] [D1527] honesty or motive.

72. The person the Detainee [D1527] is referring to would not take him to the mosque. I did take him to the mosque, and I allowed him a shower before doing so in order for him to be clean when he prayed. Steve Loughton refers to this in his interview with G4S. By the Detainee [D1527] own admission, he has trouble remembering things.

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73. I have reviewed CPS000025 at page 13 in which Mr Callum Tulley states that on 20 April 2017 I was on constant supervision and said “don’t care if he lives or died” or words to that effect. This is purely Callum Tulley’s account. I have not seen any evidence in relation to the comment he claims I made. I do not believe I said that to Callum Tulley.

74. I have reviewed CPS000025 pages 13 to 14 in which Mr Callum Tulley states that on 20 April 2017 I sated “once broke someone’s arm in three places during a restraint” and said things like you “would like to fucking do him (the detained person)”. This is purely Callum Tulley’s account of something. I have not seen any evidence in relation to the comment he claims I made.

75. I do not remember this conversation or ever saying this to Callum Tulley. This allegation is not true. If I did go around breaking arms, there would be records of hospitalisation, complaints, medical records and Officers records. There are none, because it is not true. I cannot remember saying this. Callum Tulley was always fishing for stories. That is what we gave him, stories. Officers spoke about things in front of him because it got a reaction. He was a running joke.

76. I have reviewed TRN0000078 and BBC000338-V2017052800005-1.mp4. I have not reviewed KENCOV1026 as this has not been made available to me. It was not me who said, “We’ll make someone’s day fucking next week”. It is clear from the transcript and from the footage that it is not me. You should check your records carefully before accusing people of things.

77. From reviewing the transcript, the only comment I made during the conversation was, “Any what?” in relation to a comment about moisturiser.

78. I have reviewed TRN0000079 (transcript of KENCOV1027 V2017053100019 (at 12:16-21:55)) in which it is recorded that I stated “if he comes up to you just fucking floor him, no restraint just give him the hardest fucking punch you can”. In relation to the comment I made in a private setting, staff often had to deal with Detainee’s who may have been of extremely large build, strong, aggressive and with a history of considerable violence who intimidated staff. If staff were under threat and were on their own and a Detainee attacked them, then the comment related to giving a pre-emptive strike to allow time to get away. There is no C&R when an Officer is alone and facing a violent detainee and is in danger. C&R is a three-man team.

79. It is clear from the footage that a discussion is taking place about a Detainee who is a drug user and who has a history of violent and aggressive behaviour and who posed a significant risk and who had made threats to staff. From the footage it is clear to me that I picked up on Callum’s fear of unlocking the Detainee and the comment I made related to the

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possibility of the Detainee being violent when being unlocked. The conversation is referring to a pre-emptive strike which is taught to all Officers during training; you do what you can to get away and get to a place of safety. My language was distasteful, but I was speaking privately to colleagues.

80. Notwithstanding the language I used; the meaning is in accordance with the training taught by the Home Office in relation to a pre-emptive strike. Ask your Use of Force Expert, John Collier.

81. Additional questions sent by the Inquiry on 20th December 2021 in relation to KENCOV1027 - I have reviewed the footage and I have accepted that it was me who made the comment.

82. I have answered, in great detail, why I made the comment and suggested the course of action, above.

83. I have reviewed TRN000081 and KENCOV1031 in which it states “you do cross the line...do things that don’t sit right with you morally”. I would comment as follows –

84. As a DCO, you are frequently required to do things that do not sit right with you morally, such as –

- a. Being ordered to put hands on someone when they are not being violent or aggressive or are protesting peacefully. This does not sit right with me morally.
- b. Detainees asking for more food at dinner time because they are still hungry, and we cannot give them more as there isn’t enough food. This does not sit right with me morally.
- c. Staff working 15-16 hour shifts with no breaks. This does not sit right with me morally.
- d. The same staff being selected for planned interventions (C&R) time and time again. This does not sit right with me morally.
- e. Female staff rarely being used for planned interventions (C&R) when we are all trained the same. This does not sit right with me morally.
- f. Why Detainees are held on E Wing for long periods of time when they are displaying good behaviour. It’s almost like the Home Office by the definition of their own rules; want Detainees to behave badly. This does not sit right with me morally.

85. From the transcript and the footage, it is clear to me that I was winding Callum up. Callum Tulley was always fishing for stories. That is what Officers gave him, stories. Officers spoke about things in front of him because it got a reaction. He was a running joke.

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86. The transcript indicates that I said “Fucking in my heyday, me and Tony we were terrible...I can’t tell you some of the shit”. I do not know who I am referring to in the transcript or the footage. I am therefore unable to provide a full name. From the transcript and the footage, it is clear to me that Callum Tulley is fishing for stories and to respond, I was winding him up. You can see him following me around and asking me leading questions. He was not supposed to be working on E Wing that day. Callum Tulley was always fishing for stories. That is what Officers gave him, stories. Officers spoke about things in front of him because it got a reaction. He was a running joke.

87. There are no details of any incidents as I was winding Callum up. I apologise for this. Callum Tulley was always fishing for stories. That is what Officers gave him, stories. Officers spoke about things in front of him because it got a reaction. He was a running joke.

88. I did not commit any of the acts referred to in the transcript. If I did, there would be records of hospitalisation, complaints, medical records and Officers records. There are none, because I did not commit these acts. The Inquiry must understand that from a career spanning over a decade, it would be impossible to hide such behaviour. Callum Tulley was always fishing for stories. That is what Officers gave him, stories. Officers spoke about things in front of him because it got a reaction. He was a running joke.

89. I said things to wind Callum Tulley up. It is clear from the footage that he is following me around, asking me questions. He should not have been working on E Wing that day. The reason I said things to Callum was because his face lit up when I gave him stories. It got a reaction and this is what many Officers did. Callum Tulley was always fishing for stories. That is what Officers gave him, stories. Officers spoke about things in front of him because it got a reaction. He was a running joke. It is clear that he is quite a cold, calculating, manipulative individual.

90. As the footage shows, Callum was also winding me up and giving me stories. He was not going to Sheffield University as he claimed, but was in the process of forging a career for himself in journalism.

91. Having reviewed the transcript, it is clear to me that I am winding Callum Tulley up and talking nonsense. Callum Tulley was always fishing for stories. That is what Officers gave him, stories. Officers spoke about things in front of him because it got a reaction. He was a running joke.

92. I have reviewed TRN0000077. I have not reviewed KENCOV1015 as this has not been made available to me. It is recorded that I said the following: “it was so funny Derek, we wrapped up this fella, he’s getting upset no but I’m choking him and he’s going 10 more

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seconds you're going to sleep and he's like Yan I think that's enough. Do you know what I've got this. [mimics putting hands around detained person's neck] Don't worry about it [mimics putting hands around detained person's neck]".

93. I cannot remember saying this. I do remember that Callum Tulley was always fishing for stories. That is what Officers gave him, stories. Officers spoke about things in front of him because it got a reaction. He was a running joke.

94. I cannot remember saying this. I do remember that Callum Tulley was always fishing for stories. That is what Officers gave him, stories. Officers spoke about things in front of him because it got a reaction. He was a running joke.

95. I do not believe I have ever used unreasonable, unnecessary or unjustified force against any detained person.

96. I have never intentionally injured or caused pain to a detained person at Brook House or any other establishment.

97. I have reviewed SPX000159 where it is recorded at page 12 of that document that D1467 alleged that he reported information to me and a manager which resulted in the find of an iPhone, drugs and weapons. He states that I told the 'gang-leader' which led to him being assaulted. When interviewed, the Detainee claimed that he reported something to me during the meeting on 28th December 2016. I did not attend that meeting. Records confirm that I did not attend that meeting.

98. When interviewed, the Detainee claims that no other Detainees attended the meeting. According to the evidence provided by G4S, the minutes for the meeting show that it was attended by other Detainees.

99. When interviewed the Detainee claimed that the information he gave, resulted in the finding of an iPhone. According to the evidence provided by G4S, there is no record of an iPhone being found around the date provided.

100. The programme was aired on 4th September 2017 and my name was clearly mentioned in the programme. In the balance of probabilities, the Detainee has used my name because he saw and heard it on the programme. The fact remains, according to G4S records; I was not even at the meeting on 28th December 2016.

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101. When the Detainee originally reported the incident, he did not mention me. He reported the matter to DCO Tamzine McMillan. A female Officer.

102. The matter was not reported to me. Any allegation of me passing on information is not true. The fact is, that I was not at the meeting on 28th December 2016. If I can see this from the evidence you have sent me; I fail to understand why the Inquiry has not identified this. This is not fair, nor is it justified. You are clearly trying to paint a picture of me in a negative way.

Actions of Other Staff

103. I have reviewed KENCOV1025 V2017052700008. As to whether the officer who is demonstrating how to use the shield is doing so in accordance with my understanding from training I received, this method is correct, and this is what Officer's are taught.

104. I have no comment in relation to the footage. I do not remember reporting anything to management.

105. I have reviewed Disk 47 22May2017 1729.mp4. I have not reviewed KENCOV1028 as this has not been made available to me. I have been provided with transcript TRN0000088 which I have reviewed.

106. It was a very long time ago and I do not remember the incident and I have no idea what incident or what situation I was discussing. From the footage you have provided, I was not present at the incident.

107. I cannot comment on the Officer's actions as I was not an eyewitness to the incident. From viewing Disk 47 22May2017 1729.mp4, the only comment I can make is that the Officer should not have left his keys unattended and should not have attempted a restraint on his own and without management approval, however; I cannot say why the officer performed a restraint and what he was trying to achieve. There may have been a valid reason but only the Officer involved can tell you this.

108. In KENCOV1028 V201706010017 (at 12:20:00 - 20:45) you state "We only do C and R and personal protection. We don't do assaulting detained persons. Not on camera anyway". I do not remember making this comment and I am not shown to make this comment in the transcript you have provided. I have reviewed the transcript several times and still cannot see the comment you are referring to. I have not reviewed the KENCOV1028 as it had not been made available to me at the time of writing this statement. However, if I did say those words, it would have been as a joke and that is simply all there is to it.

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109. I have never assaulted a detained person.

110. I have never witnessed an Officer assaulting a detained person.

111. I have reviewed CPS000025 at page 19 which is Callum Tulley's notes and where it is recorded that Mr Callum Tulley claimed that on 8 May 2017, DCO Derek Murphy stated that he had entered a cell and given a detained person an uppercut in order to force the detained person to cough a razor blade out.

112. I do not remember Derek Murphy or any other person saying the text quoted in Annex B point 34. I do not recall such an incident or comment and therefore cannot answer this question.

113. I have reviewed CPS000026 at page 9 where it states that on 1 June 2017, in a conversation where I was present, DCO Dave Webb stated that assaulting detained persons only takes place inside rooms. No detained persons were assaulted in their rooms, or outside their rooms at Brook House. There is no detail to add as I am not aware of such incidents happening.

114. I cannot recall this conversation as it was a long time ago. If DCO Webb did make the comment, I would have taken it as something he said in jest. Officers said things in front of Callum Tulley because it got a reaction. He was a running joke.

115. I have reviewed SXP000159. I have no knowledge of any of the incidents listed on page 20.

Drugs

116. I have reviewed SXP000159 at page 23 and page 32 where at page 23 of the document it contains a list of staff who had brought drugs into Brook House. At page 32, it is recorded that the detained person alleged that I brought drugs into Brook House. My response to this allegation is that I have never taken drugs into Brook House or any other establishment. I am not aware of anyone ever having taken drugs into Brook House.

117. The Detainees claim that I brought drugs into Brook House is malicious, damaging and slanderous. From the documents you have given me, by his own admission, the Detainee was recording undercover within Brook House. Where is the footage of me brokering drug deals and bringing in parcels? He does not have any, because it is not true. This is lies. This is unfair and unjustified.

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Disciplinary/PSU Report

118. I have reviewed CJS001107 and have no comments in relation to the findings or recommendations of that report. I have not worked at G4S for over 4 years, and I have nothing to do with the industry. You should speak to staff who work for G4S at this moment in time.

119. I have reviewed HOM006088, HOM006090, HOM006089, HOM006091, HOM006092 and HOM006086. I do not believe that questions relating to the disciplinary investigation process lies within the Terms of Reference.

120. In relation to document HOM006091 and the question as to why I did not previously disclose a written warning when I joined Brook House, I did not have a written warning when I applied to work at Brook House. The written warning that I did eventually receive was for leaving a toilet door open.

121. I have reviewed HOM00331704. The warning I did receive was for leaving a toilet door open and I may have disregarded it.

122. I have no additional comments on any of the documents. My employment outside of G4S not covered by the Terms of Reference.

123. On 13th January 2022, the Inquiry Team edited my original statement and stated the following: "The Inquiry has reviewed the statement and formatted it into the narrative style that it has requested. The changes are made in 'tracked changes' within the document so that Mr Paschali can clearly see what additions are suggested in order to incorporate the question within the answer.

In relation to Annex B, the Inquiry was unclear after question 26 of Annex B (paragraph 59 onwards) which questions matched with which answers. We have therefore sought to include what we think is the correct question. We have included a note in highlighted yellow to show this within the text." I have reviewed those changes to the best of my ability.

Statement of Truth

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 of its truth.

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Name: Ioannis Paschali

Signature:

Signature

Date

17/1/22

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