

<p>1 Wednesday, 2 March 2022</p> <p>2 (10.00 am)</p> <p>3 THE CHAIR: Good morning. Thank you very much. Mr Altman,</p> <p>4 good morning.</p> <p>5 MR ALTMAN: Thank you.</p> <p>6 MR DEREK MURPHY (sworn)</p> <p>7 Examination by MR ALTMAN</p> <p>8 MR ALTMAN: Give us your full name, please, Mr Murphy?</p> <p>9 <b>A. It's Derek Murphy.</b></p> <p>10 Q. Mr Murphy, you will confirm that you have made two</p> <p>11 witness statements to the inquiry -- &lt;INQ000113&gt;, which</p> <p>12 is our reference. That was your annex A statement,</p> <p>13 dated 21 January this year. And a second statement,</p> <p>14 annex B, dated 6 February, which is our inquiry</p> <p>15 reference &lt;INQ000121&gt;. Chair, I will ask for those to</p> <p>16 be adduced in full, please?</p> <p>17 THE CHAIR: Indeed. Thank you.</p> <p>18 MR ALTMAN: Mr Murphy, let me just deal with a few general</p> <p>19 matters fairly speedily. You were employed at</p> <p>20 Brook House between 25 April 2016 and 9 November 2017.</p> <p>21 Is that right?</p> <p>22 <b>A. That sounds about right, yeah.</b></p> <p>23 Q. Before that, what had you done?</p> <p>24 <b>A. I worked about 20 years in the security industry.</b></p> <p>25 Q. What attracted you to G4S and working at Brook House?</p> <p style="text-align: center;">Page 1</p>	<p>1 <b>remember.</b></p> <p>2 Q. Can you remember how long you acted up as a DCM?</p> <p>3 <b>A. I think it was about a month. I think.</b></p> <p>4 Q. Did anybody support you for that role, or was it simply</p> <p>5 that you were identified as somebody who could act up as</p> <p>6 a DCM? Do you remember how it came about?</p> <p>7 <b>A. I think I was identified and another manager -- another</b></p> <p>8 <b>DCM, I shadowed him for a little while, and that was it.</b></p> <p>9 Q. Who did you shadow?</p> <p>10 <b>A. Dave Aldis.</b></p> <p>11 Q. As a matter of history, you will remember -- if needs</p> <p>12 be, I can show you the documents -- on 25 August, you</p> <p>13 received a precautionary suspension from duty. On</p> <p>14 12 October 2017, a final written warning, based on</p> <p>15 comments made by you on 14 June -- we will come back to</p> <p>16 that. On 15 November, you may remember you received</p> <p>17 a letter terminating your employment with G4S, not least</p> <p>18 because the Home Office had suspended your</p> <p>19 accreditation. You appealed against the revocation of</p> <p>20 your certificate in November 2017 but you lost that</p> <p>21 appeal.</p> <p>22 <b>A. I didn't get an appeal. I was told there was no room</b></p> <p>23 <b>for appeal.</b></p> <p>24 Q. So, whichever way it happened, you (overspeaking) didn't</p> <p>25 get it?</p> <p style="text-align: center;">Page 3</p>
<p>1 <b>A. Just a change of job, a new challenge.</b></p> <p>2 Q. You went in as a DCO, did the training, presumably, in</p> <p>3 the May of that year, 2016?</p> <p>4 <b>A. Yes.</b></p> <p>5 Q. We have asked others about training, so I'm not going to</p> <p>6 ask you. Are you able to confirm, and perhaps I'll put</p> <p>7 up on screen to help you &lt;CJS0073861, tab 23, chair,</p> <p>8 this is a letter that was sent to you by</p> <p>9 Michelle Fernandes, who was the HR advisor, dated</p> <p>10 31 July:</p> <p>11 "Dear Derek,</p> <p>12 "Further to recent conversations, I am writing to</p> <p>13 confirm your agreement to act up to the role of detainee</p> <p>14 custody manager whilst covering a DCM absence and this</p> <p>15 will take effect from 31 July ... after which you will</p> <p>16 return to your DCO duties."</p> <p>17 So, from that point on, Mr Murphy, is it correct</p> <p>18 that you were, in effect, a manager, a detainee custody</p> <p>19 manager?</p> <p>20 <b>A. I think so. I'm not 100 per cent sure.</b></p> <p>21 Q. That's what the letter tends to indicate?</p> <p>22 <b>A. Yes, that's what the letter is saying, yeah.</b></p> <p>23 Q. Did you remain in that role, as far as you remember now,</p> <p>24 or did you return to DCO duties any time after?</p> <p>25 <b>A. I think I returned to DCO duties. I can't actually</b></p> <p style="text-align: center;">Page 2</p>	<p>1 <b>A. Yeah, I didn't get an appeal, so I didn't lose an</b></p> <p>2 <b>appeal, I didn't get an appeal.</b></p> <p>3 Q. Tell us a little about your impression of Brook House</p> <p>4 over the period you were there. Was it an aggressive</p> <p>5 place?</p> <p>6 <b>A. It was a horrible place.</b></p> <p>7 Q. Horrible because?</p> <p>8 <b>A. Aggressive. It was -- it was horrible. It was smelly,</b></p> <p>9 <b>aggressive. There was no back-up from senior</b></p> <p>10 <b>management. It was just -- the job I was sold in the</b></p> <p>11 <b>interview wasn't the job that we were -- that I was</b></p> <p>12 <b>prepared for.</b></p> <p>13 Q. When you say it was "horrible", are you simply talking</p> <p>14 about detainees or are you also talking about your</p> <p>15 colleagues?</p> <p>16 <b>A. In general, it was horrible.</b></p> <p>17 Q. In general?</p> <p>18 <b>A. Yes.</b></p> <p>19 Q. You said it was "smelly". What else about it was</p> <p>20 horrible?</p> <p>21 <b>A. It was just horrible. It was hell on earth. As far as</b></p> <p>22 <b>I'm concerned, that's my way of explaining it. It was</b></p> <p>23 <b>hell for the detainees and it was hell for the officers</b></p> <p>24 <b>that had to work there.</b></p> <p>25 Q. You say you got no back-up. Did you ever ask for</p> <p style="text-align: center;">Page 4</p>

<p>1 back-up?</p> <p>2 <b>A. It didn't take -- a blind man could have seen we needed</b></p> <p>3 <b>back-up there. We needed support.</b></p> <p>4 Q. What kind of support?</p> <p>5 <b>A. Anything -- every sort of support. The DCMs were doing</b></p> <p>6 <b>the best they could do. Senior management were hardly</b></p> <p>7 <b>ever seen. It was just "We're up in our ivory tower, so</b></p> <p>8 <b>just get on with it".</b></p> <p>9 Q. What about, in general terms, language? It's one of</p> <p>10 the things that you mention. Was bad language</p> <p>11 commonplace?</p> <p>12 <b>A. Yes.</b></p> <p>13 Q. By all?</p> <p>14 <b>A. Yes.</b></p> <p>15 Q. So staff as well as detainees?</p> <p>16 <b>A. Yes.</b></p> <p>17 Q. Would you have regarded it as abusive and derogatory on</p> <p>18 occasions?</p> <p>19 <b>A. Depends on the -- there's a lot of it -- you had a lot</b></p> <p>20 <b>of banter between -- me personally, I had a lot of --</b></p> <p>21 <b>I built up a very good relationship with a lot of</b></p> <p>22 <b>the detainees and we'd have a lot of banter. That's --</b></p> <p>23 <b>I can only speak for myself.</b></p> <p>24 Q. In your first witness statement, and if you want to look</p> <p>25 at it, by all means, you can, at your paragraph 9 -- by</p> <p style="text-align: center;">Page 5</p>	<p>1 <b>end up being first response, because I remember, at the</b></p> <p>2 <b>beginning of my contract working there, that I was</b></p> <p>3 <b>told -- I can't remember who told me that -- "If you are</b></p> <p>4 <b>put on first response or if you're asked to do a planned</b></p> <p>5 <b>intervention or C&amp;R, or whatever, and if you refuse to</b></p> <p>6 <b>do it, you are deemed unfit for duty and you could be</b></p> <p>7 <b>sent home", and it just seemed to be the same officers</b></p> <p>8 <b>were used all the time. There were officers there that</b></p> <p>9 <b>were asked to do it and they refused and they were still</b></p> <p>10 <b>getting the same -- they got the same training as myself</b></p> <p>11 <b>and my colleagues, they were getting the same money, but</b></p> <p>12 <b>we were the ones that were thrown in the deep end every</b></p> <p>13 <b>day. But no-one seen -- when I used to go home at night</b></p> <p>14 <b>to my family, I used to lock myself in a room and cry</b></p> <p>15 <b>for about two or three hours over it. It was horrible.</b></p> <p>16 Q. Why did you carry on doing it?</p> <p>17 <b>A. Because I had no other choice. I was told if I didn't</b></p> <p>18 <b>do it, I was deemed unfit for duty and "Get on with it.</b></p> <p>19 <b>You're a man. Get on with it".</b></p> <p>20 Q. You could have resigned, you could have left?</p> <p>21 <b>A. I couldn't afford to resign. I had a mortgage to pay,</b></p> <p>22 <b>I'd a family to support.</b></p> <p>23 Q. So you --</p> <p>24 <b>A. I had a family, but Brook House cost me my family and my</b></p> <p>25 <b>home.</b></p> <p style="text-align: center;">Page 7</p>
<p>1 your first witness statement, I mean that being</p> <p>2 &lt;INQ000113&gt; for us. You said, because you were asked</p> <p>3 about culture and attitudes, and you said:</p> <p>4 "I can't recall the attitudes towards detainees in</p> <p>5 detail as I worked at Brook House over 4 years ago. It</p> <p>6 was an aggressive place to work."</p> <p>7 You have already said that:</p> <p>8 "No-one can consistently be surrounded by aggression</p> <p>9 and violence, often directed towards them, and be happy</p> <p>10 about it. I would say that this applies more so to the</p> <p>11 staff who were used all the time for C&amp;R whilst others</p> <p>12 did not get used at all. This was unfair."</p> <p>13 First of all, just unpacking that a little, what was</p> <p>14 it that was always directed at staff?</p> <p>15 <b>A. Just general abuse.</b></p> <p>16 Q. By detainees?</p> <p>17 <b>A. By detainees, yes.</b></p> <p>18 Q. Did staff give as good as they got?</p> <p>19 <b>A. Some did, yes.</b></p> <p>20 Q. The second issue that you seem to raise at the same time</p> <p>21 is the same staff being used for C&amp;R while others didn't</p> <p>22 get used at all. It's something we have heard already.</p> <p>23 <b>A. Yes.</b></p> <p>24 Q. And it was unfair. Now, tell us about that?</p> <p>25 <b>A. It was just -- every day I went into work it was -- I'd</b></p> <p style="text-align: center;">Page 6</p>	<p>1 Q. So you felt locked into --</p> <p>2 <b>A. Yes.</b></p> <p>3 Q. -- a situation where you either put up or shut up?</p> <p>4 <b>A. Yes.</b></p> <p>5 Q. Did people refuse?</p> <p>6 <b>A. Yes.</b></p> <p>7 Q. And were they sent home?</p> <p>8 <b>A. No.</b></p> <p>9 Q. They weren't?</p> <p>10 <b>A. No.</b></p> <p>11 Q. So why didn't you refuse?</p> <p>12 <b>A. I was told to man up.</b></p> <p>13 Q. By? Who do you remember telling you to man up?</p> <p>14 <b>A. I can't remember would told me to man up, but that was</b></p> <p>15 <b>the culture there: you either put up or shut up. And as</b></p> <p>16 <b>you're a big man -- as you clearly pointed out, in</b></p> <p>17 <b>numerous occasions through this inquiry, you mention my</b></p> <p>18 <b>name, "Oh, he's a big guy". It's like you stereotyped</b></p> <p>19 <b>me. I'm looking at you, you're a bald guy. Are you</b></p> <p>20 <b>BNP? I could stereotype you as that. So you stereotype</b></p> <p>21 <b>me as a big guy, "He's a big guy", and I just think that</b></p> <p>22 <b>was a bit unfair. That's the way I was portrayed. Not</b></p> <p>23 <b>only me, I was portrayed in Brook House.</b></p> <p>24 Q. That was the purpose of the question, Mr Murphy --</p> <p>25 <b>A. Sorry, you --</b></p> <p style="text-align: center;">Page 8</p>

1 Q. -- whether you and people like you, like Yan Paschali,  
2 whom we have actually seen in the flesh, were actually  
3 being used unfairly because of your size. That's the  
4 question, isn't it?

5 **A. Yeah, yeah, I think it is.**

6 Q. It's not stereotyping you. I'm asking a question which  
7 is relevant.

8 **A. Well, you brought up the point nearly every day in the  
9 inquiry to other people.**

10 Q. Yes, for that reason, because it's relevant to  
11 understand that if you, and people like you, say that  
12 you were used unfairly, the question is why, and the  
13 question is whether your size had something to do with  
14 it?

15 **A. Yep.**

16 Q. Do you think it did?

17 **A. Yeah, I did, yes. I do, sorry.**

18 Q. Who else do you remember being used unfairly to do C&R?  
19 Yan Paschali complains about it. Who else?

20 **A. There was a lot of us. I can't remember the names  
21 offhand. There was a good few of us that were used.  
22 There were guys that used to use the gym. It just  
23 wasn't right. But we put up with it. It was put up or  
24 shut up. And the fact that every day it was -- every  
25 time I put on the kit, I'd be feeling sick, I'd be**

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1 **shaking. It was horrible. And even afterwards. You  
2 go -- I'd go outside to get a bit of fresh air, "Go get  
3 the reports done first". There was no support from the  
4 management at all. It was disgusting. We were only  
5 paid from the shoulders down, as far as I'm concerned.**

6 Q. Can you repeat what you said?

7 **A. We were paid from the shoulders down. That's all they  
8 were interested in.**

9 Q. In other words, they wanted you for your brawn, not your  
10 brain?

11 **A. Yes.**

12 Q. That was the point I was trying to make earlier.

13 **A. There's no managers around when we -- I used to sit in  
14 a room with guys and they'd be crying because they  
15 were -- they'd feel lost, some of the detainees in  
16 there. They were locked in with rapists, murderers,  
17 hardened criminals, and these poor guys were there and  
18 they could have been doctors or something and they were  
19 trying to make a living and they were locked in there.  
20 It was disgraceful. They should never have been there.  
21 They were in a prison, that's all they were in. It was  
22 disgusting. Sorry, I didn't mean to rant on.**

23 Q. No, you say what you want, Mr Murphy. If it is not  
24 relevant, I will ask you to move on.

25 What about racist attitudes? Were you aware of any

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1 racist attitudes by staff towards detainees?

2 **A. No, I was not. No, I was not.**

3 Q. You knew John Connolly, presumably?

4 **A. John Connolly was a C&R instructor and he was an officer  
5 as well.**

6 Q. Did you watch Panorama?

7 **A. I did.**

8 Q. You must have heard him referring to D275, who was  
9 protesting on netting on 17 May, or advising  
10 Callum Tulley to refer to him using the N word?

11 **A. Yes.**

12 Q. Do you remember hearing that on TV?

13 **A. I do indeed, yes.**

14 Q. What did you think of that?

15 **A. I didn't think it was very -- it was very distasteful.**

16 Q. You thought it was or you didn't think?

17 **A. I did.**

18 Q. Did it surprise you?

19 **A. Yes, I never heard John Connolly saying that before.**

20 Q. Had you heard anybody --

21 **A. No.**

22 Q. -- using any kind of racist terminology at all?

23 **A. No.**

24 Q. Did you watch the evidence of Dan Small?

25 **A. Yes, I did.**

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1 Q. He certainly has referred or said certain things which  
2 were, at the very least, unfortunate on this topic?

3 **A. I never had much dealings with Dan Small, so I can't  
4 comment on anything he said.**

5 Q. Apart from the aggression and, I think -- were you  
6 saying there was also violence directed at staff?

7 **A. Yes.**

8 Q. You say it was a horrible place to work?

9 **A. Yes.**

10 Q. What were your principal concerns, do you think, about  
11 Brook House?

12 **A. Safety of detainees and staff.**

13 Q. Was that managed appropriately, do you think, or not?

14 **A. Well, the officers were -- dealt with it and they  
15 managed it -- they had to manage it with the tools they  
16 were given. They were doing it to the best of their  
17 ability.**

18 Q. Did the issue of staffing play its part?

19 **A. Absolutely.**

20 Q. Understaffed?

21 **A. Yes.**

22 Q. All the time?

23 **A. Most of the time I was there, we were understaffed, yes.  
24 At night shift, you might have two officers, three  
25 officers, looking after four or five wings.**

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3 (Pages 9 to 12)

<p>1 Q. Which was insufficient?</p> <p>2 <b>A. Absolutely, yes.</b></p> <p>3 Q. In your first witness statement, and perhaps we don't</p> <p>4 need to go to it, but if you'd like to, I can give you</p> <p>5 the paragraph numbers, from 57 to 60, you are asked</p> <p>6 about use of force and you say that probably you were</p> <p>7 used daily?</p> <p>8 <b>A. Yes.</b></p> <p>9 Q. I can see you're turning it over, so let's just have</p> <p>10 a quick look:</p> <p>11 "I was probably used every day for use of force."</p> <p>12 You couldn't comment on all of them. You didn't</p> <p>13 recall reviews of the incidents or any lessons learned</p> <p>14 from them. Any debriefs that you remember afterwards to</p> <p>15 understand from your seniors what --</p> <p>16 <b>A. No.</b></p> <p>17 Q. -- was done well, what was done badly and lessons to be</p> <p>18 learned?</p> <p>19 <b>A. It was just a quick brief and get back to work.</b></p> <p>20 Q. You say at 58:</p> <p>21 "I don't recall having any concerns about any</p> <p>22 incidents at Brook House. If I had concerns, I would</p> <p>23 have raised them at the time."</p> <p>24 You did raise, you say, "the fact that I was used</p> <p>25 for C&amp;R all the time"?</p> <p style="text-align: center;">Page 13</p>	<p>1 Q. That's not the question.</p> <p>2 <b>A. I'll give you an example. There was, like, a protest</b></p> <p>3 <b>where about 100 detainees were remaining in the exercise</b></p> <p>4 <b>yard at lock-up and I asked the managers could I go out.</b></p> <p>5 <b>We were there first -- a few of us were there first</b></p> <p>6 <b>because, as I say, I had a rapport with a lot of</b></p> <p>7 <b>the detainees, a good rapport, and there was</b></p> <p>8 <b>a detainee -- bear with me -- D275. He was one of</b></p> <p>9 <b>the main instigators of it. So myself and another</b></p> <p>10 <b>colleague went and we spoke to him. I said, "Sit down.</b></p> <p>11 <b>What do you want?" And we were gaining progress, they</b></p> <p>12 <b>were saying what they wanted. We were listening to</b></p> <p>13 <b>them. They only wanted to be listened to. And then we</b></p> <p>14 <b>were told, "All officers off the yard". As soon as we</b></p> <p>15 <b>left the yard, kicked off, and then there was a guy</b></p> <p>16 <b>having some sort of a seizure and we were told not to go</b></p> <p>17 <b>out into the yard. So I asked a couple of officers,</b></p> <p>18 <b>"Guys, listen, we need to get the guy off the yard.</b></p> <p>19 <b>He's going to die". I said, "Is there anybody going to</b></p> <p>20 <b>come with me?" Luckily enough, a few officers said</b></p> <p>21 <b>yeah, and I just -- well, I broke the rules and I went</b></p> <p>22 <b>out and got the gentleman off the yard and he went to</b></p> <p>23 <b>hospital.</b></p> <p>24 Q. So what are you saying, that if you were allowed to have</p> <p>25 had engagement --</p> <p style="text-align: center;">Page 15</p>
<p>1 <b>A. Yes.</b></p> <p>2 Q. You say, at 59, that your opinion of control and</p> <p>3 restraint techniques is, when used properly, they're</p> <p>4 very effective and safe to control an individual's</p> <p>5 behaviour:</p> <p>6 "I do not feel that C&amp;R was used excessively at</p> <p>7 Brook House. It was that aggressive, that it had to be</p> <p>8 used daily. Detainees would fight, self-harm and refuse</p> <p>9 instructions every day."</p> <p>10 You say at paragraph 60:</p> <p>11 "I did not see any alternatives to C&amp;R techniques</p> <p>12 used at Brook House. The only way to avoid using force</p> <p>13 of detainees is to allow them to have what they want.</p> <p>14 Ninety nine per cent of the time that use of force is</p> <p>15 used is because detainees are refusing to follow the</p> <p>16 rules of the centre or fighting each other. So simply</p> <p>17 changing the rules would be a solution. Ask the</p> <p>18 detainees what they think, have work groups to discuss</p> <p>19 and come up with new rules. After all, it is they who</p> <p>20 must live in the centre. Why not make them part of</p> <p>21 the decision process? This would stop the need for use</p> <p>22 of force."</p> <p>23 <b>A. Yep.</b></p> <p>24 Q. Do you think that's realistic?</p> <p>25 <b>A. It'll never happen, I don't think, because --</b></p> <p style="text-align: center;">Page 14</p>	<p>1 <b>A. Yes, absolutely --</b></p> <p>2 Q. -- then that would assist?</p> <p>3 <b>A. They were frustrated. There was guys that were there</b></p> <p>4 <b>and they didn't want to be there, they wanted to go</b></p> <p>5 <b>home.</b></p> <p>6 Q. Yes.</p> <p>7 <b>A. You know yourself, when you're frustrated, you want</b></p> <p>8 <b>someone to listen to you. Sorry.</b></p> <p>9 Q. That's a luxury we don't all get, Mr Murphy.</p> <p>10 <b>A. Of course.</b></p> <p>11 Q. In paragraph 85, while I'm on it, you were asked for</p> <p>12 suggestions for improvements. I'd like to ask you about</p> <p>13 this because that was perhaps a summary of your views,</p> <p>14 having been there, of what might help. You said:</p> <p>15 "Brook House could be improved by having more staff,</p> <p>16 not using the same staff for use of force, and giving</p> <p>17 staff their breaks."</p> <p>18 So was that another source of frustration, that</p> <p>19 staff didn't get the breaks which they were entitled to?</p> <p>20 <b>A. Yes, on a daily basis, yes.</b></p> <p>21 Q. "Detainees with mental health issues should not be in</p> <p>22 detention as it is not suitable for their needs and</p> <p>23 makes them worse."</p> <p>24 <b>A. Yes.</b></p> <p>25 Q. And that's a bigger issue, some evidence about which was</p> <p style="text-align: center;">Page 16</p>

<p>1 heard yesterday:</p> <p>2 "Detainees should be allowed to be part of</p> <p>3 the decision-making process that affects their life</p> <p>4 within the centre. They should be allowed to sit in</p> <p>5 with senior managers on meetings to input on decisions</p> <p>6 that affect life at Brook House."</p> <p>7 So that is a paragraph you wrote, Mr Murphy, in</p> <p>8 answer to the question, how might you improve this</p> <p>9 place?</p> <p>10 <b>A. Yes.</b></p> <p>11 Q. Do you stand by what you said in that statement?</p> <p>12 <b>A. Absolutely, yes.</b></p> <p>13 Q. Do you think any or all of that is realistic? Not</p> <p>14 whether it's likely to happen, but do you think if some</p> <p>15 or all of that was put in place, it would change the</p> <p>16 culture and change --</p> <p>17 <b>A. Yes.</b></p> <p>18 Q. -- the experience, if you like, of everybody, staff as</p> <p>19 well as detainees, at a place like Brook House?</p> <p>20 <b>A. Yes. Because at least they'd have a voice.</b></p> <p>21 Q. Now, can we together, Mr Murphy, look at a few things</p> <p>22 that you have been recorded as saying, and I want to ask</p> <p>23 you about them. I'm going to put up on screen, to help</p> <p>24 everybody, some transcripts from the footage that</p> <p>25 Mr Callum Tulley recorded when he was working in</p> <p style="text-align: center;">Page 17</p>	<p>1 "This is the third one today."</p> <p>2 And the detainee responds:</p> <p>3 "Not spice, not spice. I am not a spice boy. Tell</p> <p>4 him do not call me a spice boy, please."</p> <p>5 And then there is more conversation about that at</p> <p>6 line 2120:</p> <p>7 "I am not spice boy."</p> <p>8 And Tulley says:</p> <p>9 "He's only messing around. I'll tell him, though."</p> <p>10 "Sorry ... We're going to take your blood pressure",</p> <p>11 says a nurse:</p> <p>12 "I am not a spice boy.</p> <p>13 "...</p> <p>14 "I have got an illness."</p> <p>15 You mentioned earlier -- this is not bad language.</p> <p>16 You mentioned earlier about banter. Why were you</p> <p>17 calling him a "spice boy"? Was it a joke or --</p> <p>18 <b>A. To my recollection, there was a certain band of -- there</b></p> <p>19 <b>was a group of detainees were well known for having</b></p> <p>20 <b>spice and being -- the effects of spice, and we'd been</b></p> <p>21 <b>called to emergency -- a medical response with them.</b></p> <p>22 Q. Yes.</p> <p>23 <b>A. Just the name "spice boys", there's no -- it wasn't</b></p> <p>24 <b>meant as a derogatory thing, it was just they were the</b></p> <p>25 <b>spice boys, they were well known for it.</b></p> <p style="text-align: center;">Page 19</p>
<p>1 Brook House. The first, chair, is going to be --</p> <p>2 Zaynab, if you can kindly put up, please, &lt;TRN0000095&gt;,</p> <p>3 and for you, chair, this is at tab 51.</p> <p>4 THE CHAIR: You have copies of these if you want to refer to</p> <p>5 them --</p> <p>6 MR ALTMAN: He does, chair, but I've suggested it's simpler</p> <p>7 if he refers to what's on screen rather than manipulate</p> <p>8 heavy bundles in front of him.</p> <p>9 THE CHAIR: Indeed, if you're happy with that. Thank you.</p> <p>10 MR ALTMAN: If we go to page 59. This was, just to put it</p> <p>11 in context, a conversation on 13 May, as we can see from</p> <p>12 the date at the top. If we go to the bottom half of</p> <p>13 this page, we see Callum Tulley, at line 2107, talking.</p> <p>14 There's a detainee there:</p> <p>15 "... I thought you were messing around. It won't</p> <p>16 before -- before you know it you'll be back on</p> <p>17 association. You'll be able to go and get your crisps.</p> <p>18 Did you smoke something ...?"</p> <p>19 And he said:</p> <p>20 "I smoke nothing."</p> <p>21 And then Callum Tulley repeats:</p> <p>22 "You don't smoke anything. Oh, fair enough."</p> <p>23 Then you say, Mr Murphy:</p> <p>24 "Is this one of the spice boys, is it?"</p> <p>25 "...</p> <p style="text-align: center;">Page 18</p>	<p>1 Q. What, they were a group of detainees who were using</p> <p>2 spice?</p> <p>3 <b>A. Yes.</b></p> <p>4 Q. You say they were referred to "the spice boys", you're</p> <p>5 asking, "Is this one of them?", but you can see this</p> <p>6 man's reaction, "Tell him not to call me a spice boy",</p> <p>7 and at the bottom, "I'm ill". Now, was it possible,</p> <p>8 Mr Murphy, that you and others rather forgot that fact,</p> <p>9 that some of these individuals were themselves not well</p> <p>10 and, even if they were taking spice, it didn't detract</p> <p>11 from the fact that they were vulnerable?</p> <p>12 <b>A. I wasn't trained in any way, shape or form, mentally or</b></p> <p>13 <b>medically, so I wouldn't know.</b></p> <p>14 Q. You wouldn't know. The question I've asked others, I'll</p> <p>15 ask you: were you able to distinguish, in all the time</p> <p>16 you worked there, between someone who was genuinely</p> <p>17 unwell and somebody who, perhaps like this man might</p> <p>18 have been thought to be, genuinely just a drug user or</p> <p>19 a manipulator or a disrupter?</p> <p>20 <b>A. I wasn't trained medically or for mental awareness, so</b></p> <p>21 <b>no.</b></p> <p>22 Q. Can you go to another transcript, please, &lt;TRN0000091&gt;</p> <p>23 at page 13. This is 10 June. Chair, tab 59 for you.</p> <p>24 THE CHAIR: Thank you.</p> <p>25 MR ALTMAN: With Callum Tulley:</p> <p style="text-align: center;">Page 20</p>

<p>1 "I was quite enjoying my game of pool ... until he 2 comes along." 3 There is somebody called Angela O'Connor present, 4 and then you say: 5 "... he's a fucking pile of shit and misery, so he 6 is." 7 And the conversation continues until the bottom 8 line: 9 "Fucking grotty cunt down the bottom", when Tulley 10 says: 11 "Old Mr Whatshisname is having a shower, isn't he?" 12 So that's a reference to a detainee. Tell us about 13 the language you used, Mr Murphy? 14 <b>A. I can't remember this conversation at all.</b> 15 Q. No, I'm sure you can't, because there would have been 16 many. But do you think -- 17 <b>A. But I don't remember this conversation. You asked me 18 about this, so I'm just saying to you, I don't remember 19 this conversation.</b> 20 Q. No, I'm sure. But if the transcript is accurate and 21 you're referring, for example, to a detainee as 22 a "fucking grotty cunt down the bottom", do you think 23 that was appropriate and professional? 24 <b>A. I don't remember this conversation, so I can't say 25 whether -- it's not appropriate language, if it was</b></p> <p style="text-align: center;">Page 21</p>	<p>1 <b>sort of language, so I can't comment on it.</b> 2 Q. Well, you're not saying it was just you alone, are you, 3 Mr Murphy? 4 <b>A. I just answered the question for you.</b> 5 Q. So you're just not prepared to help? 6 <b>A. I am prepared -- I'm just saying I don't recall it.</b> 7 Q. You don't recall it? 8 <b>A. No.</b> 9 Q. In all the time you were there, you don't recall anybody 10 using bad language? 11 <b>A. People used bad language, but this sort of language -- 12 people use bad language all the time, but -- it's very 13 inappropriate.</b> 14 Q. Yes. So because you can't remember it, you can't 15 remember whether anybody was ever challenged about it, 16 or whether you were challenged about it, or whether you 17 challenged others about it? 18 <b>A. I can't remember. It's such a long time ago.</b> 19 Q. Let me ask you something, please, about -- from 20 Dan Small's account to the inquiry, and it deals with an 21 incident that took place, according to him, on 13 March. 22 If we go to tab 37, chair, to begin with, &lt;CPS000024&gt; at 23 page 5, these are notes from the BBC recordings. If we 24 look on page 5, you can just make out towards the 25 bottom, as it sits on screen:</p> <p style="text-align: center;">Page 23</p>
<p>1 <b>used, and I don't remember using it.</b> 2 Q. Can you go to another transcript, please, tab 62, 3 &lt;TRN0000084&gt; at page 11. This is 20 June, just another 4 example, Mr Murphy. Right at the top: 5 "It's with that tosser ..." 6 And that refers to a detainee, D728: 7 "... or whatever the fuck." 8 And you're having a conversation with Nathan Harris, 9 talking about D728. Again, the use of the word 10 "tossler". Appropriate? 11 <b>A. I don't remember this conversation, but if it was used, 12 it is very inappropriate, yes. This language I used, 13 I'm in no way proud of the fact, I'm ashamed of. 14 I don't remember this, but if I used it, it's very 15 inappropriate.</b> 16 Q. Was that kind of language, whether by you or by others, 17 ever challenged by anybody, or did it become such 18 a commonplace that -- 19 <b>A. I never heard anybody using this sort of language, so 20 I can't comment on that.</b> 21 Q. So you never heard anybody else using it? 22 <b>A. I can't recall hearing anybody else using language like 23 that, so I can't comment on it.</b> 24 Q. But you're not saying nobody did, surely? 25 <b>A. I never -- I don't recall anybody saying -- using this</b></p> <p style="text-align: center;">Page 22</p>	<p>1 "On the 14th of March 2017 ..." 2 Have you got that, Mr Murphy? 3 <b>A. Yes.</b> 4 Q. "... DCO Dan Small told our main source that he was 5 attacked by a small Afghan detainee Care and Segregation 6 Unit on the 13th ..." 7 So this relates to 13 March: 8 "... and that DCO Derrick Murphy responded by 'choke 9 slamming' him (this is a technique where you pull 10 someone into a choke hold against your other arm -- it 11 is not an authorised technique). DCO Small said 12 DCO Murphy was squeezing so hard that DCO Murphy's face 13 went bright red. DCO Small said both he and Murphy then 14 restrained the detainee using approved techniques 15 outside the office because there were CCTV cameras." 16 Do you recognise that incident? 17 <b>A. No. I definitely -- what is a choke hold?</b> 18 Q. Well, you tell me? 19 <b>A. I'm asking you. I'm asking you.</b> 20 Q. I'm not here to answer your questions, Mr Murphy. 21 <b>A. Okay. I don't know.</b> 22 Q. You don't know. That's what he said to, clearly, 23 Callum Tulley, who passed it on to the BBC, and that's 24 why it's noted here. 25 Then if we look at what Daniel Small said in</p> <p style="text-align: center;">Page 24</p>

6 (Pages 21 to 24)

<p>1 a statement he made to the inquiry on 10 February, 2 tab 38, &lt;BDP0000033&gt; at page 15, paragraph 44: 3 "I accept that document &lt;CPS000024&gt; (page 5) [which 4 is what I've just shown you] accurately describes 5 a conversation I had with DCO Tulley regarding an 6 incident in which I was attacked by a detained person 7 and was assisted by DCO Murphy. I note that the account 8 I gave to DCO Tulley was embellished for dramatic effect 9 (as I was telling a story) and did not record the 10 incident entirely accurately. To the best of my 11 recollection, I was put in a choke hold from behind by 12 a detainee and pressed my red button for assistance. 13 DCO Murphy attended along with a manager. The detainee 14 let me go and we escorted him to his room (where he was 15 already on segregation). On entry into the room, he 16 went for me again, and DCO Murphy took him to the 17 ground. I do not recall the exact hold he used on the 18 detainee but it may have been a choke hold. A manager 19 was present. To the best of my recollection, no-one 20 spoke to me about this incident again." 21 Is it coming home to you at all, or not? 22 <b>A. No.</b> 23 Q. You're not saying he's lying about it, are you? 24 <b>A. I don't recall. I'm not saying anything --</b> 25 Q. So it means nothing to you? You can't say one way or</p> <p style="text-align: center;">Page 25</p>	<p>1 <b>A. No. I would have tried to release my hand if he was</b> 2 <b>biting my hand.</b> 3 Q. Yes. So, on the face of this transcript, this is 4 a complete fiction? 5 <b>A. Absolutely.</b> 6 Q. Let's look at something else, please. 7 <b>A. How do you know it's not embellished again for the</b> 8 <b>benefit of Callum Tulley, like the last one?</b> 9 Q. Let's look at something else, please. It's a transcript 10 which should be dated 8 May. Confusingly, it's dated 11 13 August. It is &lt;TRN0000024&gt;, chair, tab 49, at 12 page 3. At the top, we have got you saying: 13 "Did you hear [something missed] last week ... That 14 fucking arsehole." 15 There is a bit more language. Whoever officer 1 is, 16 is saying, "Yeah, yeah". Then you say: 17 "He fucking -- he had papers thrown all over his 18 room and everything." 19 At line 46: 20 "And I went into his room. I said, 'Oy, get the 21 fuck out of bed. Clean this shit up. You ain't going 22 nowhere until you clean this up, you little prick'. And 23 I said, 'If you don't clean it up within the hour, I'm 24 going to come and smash the fucking shit out of you and 25 you ain't doing no flying'. So I left him and walked</p> <p style="text-align: center;">Page 27</p>
<p>1 the other whether he's accurate -- 2 <b>A. I wouldn't have used a choke hold, or whatever that is.</b> 3 <b>So I can't -- I'm not -- I can't comment on it because</b> 4 <b>I can't remember it happening.</b> 5 Q. Let's look at something else, then, please. Another 6 transcript, this time for 13 May, &lt;TRN0000095&gt;. We have 7 been to that transcript already, behind tab 51. This 8 time, at page 32. The date is 13 May. We looked at 9 this transcript a little earlier, Mr Murphy, for 10 a different reason. Here Dan Small is having a chat 11 with Dan Lake. Small says: 12 "Literally, he keep hurting ..." 13 And Dan lake says: 14 "On B wing that geezer bit his hand. Do you 15 remember they wrapped up in the office? The geezer bit 16 Derek's hand, and then he bent over, and Derek 17 upper-cutted him and cracked him straight in the jaw. 18 And afterwards, Jules come up. He was like, 'What 19 happened to his lip?'. His lip was all over the place. 20 Nice. And Derek was like, 'I don't know'. I saw 21 everything. He was undoubted -- Derek just went smack 22 ... Oh, dear. Just to make sure. I'll be back. 23 "Small: Have you told Dan or he is still broken?" 24 Was there ever a time, Mr Murphy, when you 25 upper-cutted a detainee to the jaw, splitting his lip?</p> <p style="text-align: center;">Page 26</p>	<p>1 out ... he's still in fucking bed [something missed] 2 threw it at him, got the quilt off him and threw it ... 3 'Get the fuck out', 'Okay, okay, okay'. Clean all of 4 this in a nice bundle ... Oh, hang on a minute. Got my 5 bags and 'Put it in a fucking bag before you go'. He 6 did." 7 These aren't Dan Small's words and they're not 8 Dan Lake's; these are yours. Did that represent the 9 truth of something you had done in relation to 10 a detainee, Mr Murphy? 11 <b>A. I can't recall.</b> 12 Q. You can't recall this either? No? 13 <b>A. It's a long time ago, yes.</b> 14 Q. I get that, but there are certain things in life that we 15 all recall doing -- things we are embarrassed by, 16 ashamed by -- 17 <b>A. Well, obviously, me and you have had different lives,</b> 18 <b>haven't we?</b> 19 Q. Sorry? 20 <b>A. Me and you have had two different lives. I've had a lot</b> 21 <b>of trauma in my life. Obviously you haven't. I can't</b> 22 <b>remember things -- I can't remember this. If</b> 23 <b>I remembered, I'd comment on it.</b> 24 Q. So you can't remember this. Your life experience is 25 such that you're unable to help?</p> <p style="text-align: center;">Page 28</p>

7 (Pages 25 to 28)

<p>1 <b>A. I can help, but I can't remember this.</b></p> <p>2 Q. Do you agree, on any showing -- let's just assume, if</p> <p>3 you would be prepared to come with me this far, let's</p> <p>4 assume you said all this and let's assume it was the</p> <p>5 truth -- calling somebody, a detainee, a "little prick"</p> <p>6 is not the right thing to do it, is it, Mr Murphy?</p> <p>7 <b>A. I didn't think we were here on assumptions, in your own</b></p> <p>8 <b>words. We're here on evidence, aren't we?</b></p> <p>9 Q. I'm just asking --</p> <p>10 <b>A. If it was said, it was very inappropriate, yes, I agree.</b></p> <p>11 Q. That's all I'm asking you. And if you said to this</p> <p>12 detainee, "I'm going to come and smash the fucking shit</p> <p>13 out of you", that's a threat, isn't it?</p> <p>14 <b>A. It sounds like a threat, yes.</b></p> <p>15 Q. And it's, looking back now, if you said it, and it is</p> <p>16 a big "if", according to you, if you said it in truth --</p> <p>17 in other words, not saying the words, but if you said</p> <p>18 this to a detainee -- then it's off the pitch, isn't it?</p> <p>19 It's nothing you should have said to a detainee, is it?</p> <p>20 <b>A. Absolutely. I did say it before because it was on the</b></p> <p>21 <b>Panorama programme, but I was facing Callum Tulley when</b></p> <p>22 <b>I said it.</b></p> <p>23 Q. You're talking about --</p> <p>24 <b>A. As you're --</b></p> <p>25 Q. You're talking about something else now?</p> <p style="text-align: center;">Page 29</p>	<p>1 second floor of C?</p> <p>2 "Paschali: Yeah, yeah."</p> <p>3 And the conversation continues around him.</p> <p>4 Unhappily, there are no line numbers here, but if you</p> <p>5 look around a third of the way down Tulley says:</p> <p>6 "He's just big, isn't he?"</p> <p>7 In fact, just after another officer, male officer 1</p> <p>8 says:</p> <p>9 "He's a bell end.</p> <p>10 "He's just big, isn't he?"</p> <p>11 Paschali then says:</p> <p>12 "Could get a couple of reserves. Not because we</p> <p>13 won't get him out but we'll be blowing for [something]</p> <p>14 and going all the way."</p> <p>15 And you're there saying, "Yes", you say, "Yeah":</p> <p>16 "Where's he going?", says Tulley, "Is he going CSU?"</p> <p>17 Paschali:</p> <p>18 "I don't know."</p> <p>19 You say:</p> <p>20 "If it's a question of being prepared, get them</p> <p>21 Oscar One to come down here and just say to him, we need</p> <p>22 a couple of reserves. But if he's a big one and there's</p> <p>23 a fight --"</p> <p>24 Male officer 1 says:</p> <p>25 "I'll be very surprised if he walked, I'll tell you</p> <p style="text-align: center;">Page 31</p>
<p>1 <b>A. Yes.</b></p> <p>2 Q. Sorry, what did you --</p> <p>3 <b>A. Because you're going to -- I see where you're leading.</b></p> <p>4 <b>This is going to lead on to another transcript from --</b></p> <p>5 <b>that was seen on the programme, where I did turn around</b></p> <p>6 <b>to Callum Tulley and he has it on film where I turned</b></p> <p>7 <b>around and I said, "If he does that again, I'd smash the</b></p> <p>8 <b>fucking shit out of him". Excuse my language.</b></p> <p>9 Q. That's all right.</p> <p>10 THE CHAIR: You can speak freely.</p> <p>11 MR ALTMAN: What do you say of this other incident?</p> <p>12 <b>A. I don't remember this. If I said it, it's totally out</b></p> <p>13 <b>of -- it's totally wrong. I shouldn't have said it.</b></p> <p>14 <b>I'm ashamed I said it, if I did say it. Where I was</b></p> <p>15 <b>seen on film saying it, I'm ashamed of that as well.</b></p> <p>16 <b>It's totally unprofessional and it shouldn't have been</b></p> <p>17 <b>said.</b></p> <p>18 Q. I want to, please, with you, look also at some</p> <p>19 conversation that took place between you and</p> <p>20 Callum Tulley and Yan Paschali, in particular, on 9 May.</p> <p>21 For you, chair, it is tab 50, and it is &lt;TRN0000077&gt;.</p> <p>22 We start at page 5.</p> <p>23 Here, Mr Murphy, the conversation seems to be around</p> <p>24 a detainee ciphered as D87, and Tulley says:</p> <p>25 "Is this D87? Is this D87 on -- in C -- on the</p> <p style="text-align: center;">Page 30</p>	<p>1 that."</p> <p>2 Paschali:</p> <p>3 "We'll get him out, a hundred per cent."</p> <p>4 You say:</p> <p>5 "Yeah.</p> <p>6 "But we will be blowing if we have a 10-minute</p> <p>7 run-in."</p> <p>8 And you say "Yeah" and Paschali says:</p> <p>9 "The thing is, we'll have softened him up so then</p> <p>10 he'll be -- he'll be knackered as well."</p> <p>11 Tell me if I've understood this correctly. What you</p> <p>12 were talking about is a control and restraint that was</p> <p>13 expected to be executed in respect of D87, who was a big</p> <p>14 man?</p> <p>15 <b>A. It sounds like it, yeah.</b></p> <p>16 Q. When the word "reserves" is used, "getting reserves",</p> <p>17 what does that mean to you?</p> <p>18 <b>A. I presume it's another team.</b></p> <p>19 Q. When Paschali uses the word "blowing", for example, "We</p> <p>20 will be blowing if we have a 10-minute run-in", what did</p> <p>21 you understand he meant by that?</p> <p>22 <b>A. I don't know.</b></p> <p>23 Q. Does he mean being knackered or exhausted?</p> <p>24 <b>A. I don't know. I presume so, I don't know. I can't</b></p> <p>25 <b>comment on what Mr Paschali meant by it, but ...</b></p> <p style="text-align: center;">Page 32</p>



<p>1 Q. Do you understand what he meant by "we'll have softened 2 him up so ... he'll be knackered as well"?</p> <p>3 <b>A. I don't understand.</b></p> <p>4 Q. How would you soften up a detainee?</p> <p>5 <b>A. I don't know.</b></p> <p>6 Q. Then on page 40, of the same transcript, 40, although 7 this conversation has moved on and some time has moved 8 on, at the top you can see male officer 1: 9 "Are you taking ... the big guy and all the others? 10 "Tulley: D87. Matty doesn't want to. Bipolar guy 11 --" 12 Who was Matty? Any idea?</p> <p>13 <b>A. No.</b></p> <p>14 Q. Then Tulley talks about the black guy in room 3 and the 15 conversation continues that way until, let's say, about 16 halfway down, just to save a bit of time. Can you see 17 Yan Paschali says: 18 "I can't play chess with you all day." 19 <b>A. Yes.</b></p> <p>20 Q. "I can't play chess with you all day. He would follow 21 me to the toilets. 22 "... 23 "I went one day, I went down there. He went, 'Where 24 are you going?'. I say 'I'm going for a fucking piss'. 25 And one of the detainees says 'Do you want to hold it</p> <p style="text-align: center;">Page 33</p>	<p>1 "Well, we -- with you lot in here I'd be alright, 2 wouldn't I?"</p> <p>3 Paschali says: 4 "I'd love to get in the ring with him. Put the 5 gloves on and see what he's fucking made of. I would 6 love to. He's got shoulders. His chest is ..." 7 This is how it reads: 8 "... titty. He's got a gut. His arms ain't all 9 that. He's just got some shoulders and a bit of height. 10 Fucking crack him straight in the ribs." 11 And you say: 12 "Straight in the solar." 13 Now, do you remember what you were talking about 14 there?</p> <p>15 <b>A. No. It sounds like a boxing match.</b></p> <p>16 Q. It certainly does, but it sounds like a boxing match 17 with a detainee who happened to be big?</p> <p>18 <b>A. I didn't say anything about a detainee there.</b></p> <p>19 Q. So you don't think it's got anything to do with that at 20 all?</p> <p>21 <b>A. I didn't say that. I said it doesn't appear to have -- 22 that we're talking to any detainee there. We're talking 23 amongst ourselves there, by the looks of things.</b></p> <p>24 Q. Then you say: 25 "I'd hose him."</p> <p style="text-align: center;">Page 35</p>
<p>1 for him?'. Honestly!"</p> <p>2 Then a phone rings. Yan Paschali is speaking: 3 "It's not [something is missed] is it? Fuck's 4 sake." 5 Then you say: 6 "I said to him, mate, 'You're doing my fucking head 7 in, mate. You give me a fucking headache listening to 8 you'. 9 "... 10 "He just wants you to fucking be ..." 11 Although the word is transcribed as "available", it 12 was almost certainly "afraid of you". So it should 13 read: 14 "He just wants you to fucking be afraid of you, you 15 know. 16 "Tulley: Who?" 17 You say: 18 "She said to me, are you afraid of him? Do you 19 remember him saying that?" 20 Tulley says: 21 "I wouldn't fancy having a fight with him, though, 22 I've got to say." 23 And Paschali says: 24 "It's fair enough ..." 25 And he says:</p> <p style="text-align: center;">Page 34</p>	<p>1 What did you mean by "I'd hose him"?</p> <p>2 <b>A. I don't know. It's not a term I -- I've ever said.</b></p> <p>3 <b>I don't know.</b></p> <p>4 Q. "And I'd draw it -- when I was away to a friend's pub 5 one night", this is you, "it was an open night ... I was 6 there as a guest. Got any fucking [something missed] or 7 that. I think I told you this, this geezer --" 8 And Paschali said: 9 "Yeah, you did tell me. Did you drop the cunt?" 10 And you say: 11 "Yeah. Well, his feet were fast and he done my 12 nose -- 13 "Yeah, that's how he ruined your shirt. 14 "... Right between, right there. He was -- that was 15 it. 16 "Who was that?," says Tulley, and you say: 17 "So I said to him, fucking did him, I tell you. 18 "Who was that?" 19 You say: 20 "I don't know who he was. Some fucking idiot. 21 Thought he was fucking Bruce Lee." 22 Do you remember the incident you're talking about -- 23 <b>A. No.</b> 24 Q. -- where somebody struck you in a pub and you did him? 25 <b>A. No.</b></p> <p style="text-align: center;">Page 36</p>

1 Q. Doesn't mean anything?

2 **A. It was probably another story that was told. Because**

3 **Callum Tulley was always asking about this and asking**

4 **about that. He used to come up to me and say, "Oh, Del,**

5 **I need to get involved in more C&Rs. Everyone**

6 **thinks" -- excuse my language on this -- "Everyone here**

7 **thinks I'm a pussy". I did turn around to him and**

8 **I said to him, "You don't have to prove yourself to**

9 **anybody in here", but he was always fishing for**

10 **information, always asking ridiculous questions. I used**

11 **to tell him a load of stuff. Maybe I shouldn't have,**

12 **because he was young. I used to tell him some**

13 **outrageous stories and he seemed to believe them, and he**

14 **seemed to get off on it. He seemed to be enjoying it.**

15 Q. So these were just tall tales, were they?

16 **A. More than likely, yes.**

17 Q. More than likely?

18 **A. Because I don't remember any of that. Surely I'd**

19 **remember something like that? If it happened in the**

20 **pub, it was nothing to do with Brook House, is it?**

21 Q. That's not the point, Mr Murphy. I'm asking you about

22 something you said in Callum Tulley's presence and

23 whether --

24 **A. I can't remember the conversation, but there was many**

25 **said because Callum liked to hear a story and I gave him**

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1 **loads of them.**

2 Q. You see, on the surface, it sounds like you and

3 Paschali, because I'm going to continue reading on, it's

4 about glorifying violence. That's what it sounds like.

5 **A. No, not at all. It's about feeding Callum Tulley --**

6 **excuse my language again -- bullshit. That's what he**

7 **seemed to want.**

8 Q. So he wanted bullshit and you fed him --

9 **A. Absolutely, yes.**

10 Q. Paschali continues:

11 "That happened to me once as well. I think I told

12 you this story before. My sister had a bit of a car

13 collision somewhere and they were trying to mug her off

14 ..."

15 And he goes through that account. If we drop down

16 to the next response he gives in the centre of the page:

17 "So anyway, I opened the door and took the piece of

18 paper with my sister's mobile number on, put it in the

19 fucking pocket and shut the door, and I went, 'You must

20 think I'm a fucking mug, mate'. So I come round to him

21 and he's gone 'What?'. I said, 'You fucking heard, you

22 prick. Showing a damaged front. I'm going to fucking

23 smash your face in'. He juggled me straight in the face.

24 Just went 'Ping'. I've gone, 'You cunt'. Fucking split

25 my lip. And then he went 'Ooh', turned around and ran.

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1 Fucking ran up the road after him, this is in broad

2 daylight, kicked him to the floor, and fucking boxing

3 and boxing him, kicking him, punching shit out of him.

4 My mate was in the car with the missis."

5 And you said:

6 "Eh, eh, eh! What you doing?"

7 And on it goes.

8 Says Paschali:

9 "... anyway. Well, my missis come round and jumped

10 in the car. Drive, drive, drive! She was going. I'm

11 covered in claret, mate. My fucking hands. I had white

12 trainers on ... Got home, took all my kit off. It's

13 like I committed a murder. I didn't, but binned it all

14 ..."

15 So do we understand that the two of you were just

16 exchanging tall stories made up independently of each

17 other for Callum Tulley's benefit?

18 **A. Well, I know I did. I can't speak for Mr Paschali.**

19 **Yeah, I did on numerous occasions.**

20 Q. Let's go to the next page, please, Mr Murphy. About

21 halfway down you see Callum Tulley saying:

22 "Thing is, though, Yan, you're used to fighting

23 people like D87."

24 So there's no question that in Callum Tulley's mind,

25 at least, this was all a discussion based upon D87

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1 because of his size, because that's where the

2 conversation began, whether you say you recall it or

3 not. And he says:

4 "Cause you was in prison. I fucking wasn't, mate."

5 Then Paschali said this:

6 "I never learned how to fight in prison. I only

7 done 8 years in Prison Service. I grew up in ..."

8 And then Tulley says:

9 "MMA, aren't you into?"

10 Paschali says:

11 "No. See, see the stories, look, see MMA."

12 And you say, "What was that?", and Paschali said:

13 "He said I was into MMA. Everyone's got a thing

14 about MMA at the moment."

15 You say:

16 "See this is what I was saying to you."

17 And Tulley says:

18 "Fucking putting people in sleep holds."

19 Says Paschali:

20 "Oh, I forgot you witnessed that ... I wrapped up

21 this fellow, right ..."

22 We have seen that term often, Mr Murphy, "wrapped

23 up", what did that mean at Brook House, that you wrapped

24 up someone?

25 **A. It was a control and restraint.**

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10 (Pages 37 to 40)

<p>1 Q. That's what "wrapped up" meant?</p> <p>2 <b>A. Yep.</b></p> <p>3 Q. Control and restraint:</p> <p>4 "So I wrapped up this fella, right ..."</p> <p>5 And Paschali talks about getting upset:</p> <p>6 "I weren't getting upset. I was blowing out my</p> <p>7 arse, you prick.</p> <p>8 "No, but I'm [choking] him and he's going, I thought</p> <p>9 10 more seconds you're going to sleep ... He's like</p> <p>10 'Yan, Yan, I think that's enough'."</p> <p>11 And he is mimicking choking and choking. Just</p> <p>12 above, actually, I may not have read after the sleep</p> <p>13 hold:</p> <p>14 "Oh, I forgot you witnessed that", says Paschali to</p> <p>15 him:</p> <p>16 "Oh, it was so funny, Derek, I wrapped up this</p> <p>17 fellow, right ..."</p> <p>18 And you say:</p> <p>19 "I remember."</p> <p>20 And that's when Paschali says about getting upset:</p> <p>21 "I weren't getting upset, I was blowing out my arse,</p> <p>22 you prick.</p> <p>23 "No", says Paschali, "but I'm [choking] him and he's</p> <p>24 going, I thought 10 more seconds you're going to sleep.</p> <p>25 He's like 'Yan, Yan, I think that's enough'. Do you</p> <p style="text-align: center;">Page 41</p>	<p>1 witnessed on Panorama, and if you've been watching the</p> <p>2 live stream of the evidence, Mr Murphy, you will know</p> <p>3 very well what it's all about. It's about D1527, an</p> <p>4 individual who was involved in self-harming incidents on</p> <p>5 25 April. So a couple of weeks before the date of this</p> <p>6 conversation, when Yan Paschali was kneeling over this</p> <p>7 man and had his hands around his neck. Did you see that</p> <p>8 on Panorama?</p> <p>9 <b>A. I seen that. I seen the programme, yes.</b></p> <p>10 Q. Have you been watching the evidence over the past few</p> <p>11 days?</p> <p>12 <b>A. Not every day. Sporadically.</b></p> <p>13 Q. Did you watch Yan Paschali's evidence?</p> <p>14 <b>A. No, I did not. I work, so I can't. I work during the</b></p> <p>15 <b>day.</b></p> <p>16 Q. What evidence have you watched?</p> <p>17 <b>A. Just bits and pieces.</b></p> <p>18 Q. Did you watch Clayton Fraser?</p> <p>19 <b>A. I just watched bits and pieces. I watched bits of</b></p> <p>20 <b>Clayton's, but I was working, so ...</b></p> <p>21 Q. Do you know the footage I'm talking about?</p> <p>22 <b>A. I know the footage, yep. I watched it when Panorama</b></p> <p>23 <b>come out.</b></p> <p>24 Q. That was 25 April and Callum Tulley says:</p> <p>25 "Putting people in sleep holds."</p> <p style="text-align: center;">Page 43</p>
<p>1 know what, I've got this."</p> <p>2 And he mimics choking:</p> <p>3 "Don't worry about it", mimics choking.</p> <p>4 Says Tulley:</p> <p>5 "I shat myself. I'm not going to lie. The nurse</p> <p>6 was right behind you, Yan, so."</p> <p>7 And he says:</p> <p>8 "That's why I didn't."</p> <p>9 Says Paschali:</p> <p>10 "Nah it's good because obviously she's fucking ..."</p> <p>11 And he says:</p> <p>12 "Not going to lie, but ..."</p> <p>13 And then a phone rings and that's the end of that</p> <p>14 conversation?</p> <p>15 <b>A. I don't ever remember -- this looks as if it's about D87</b></p> <p>16 <b>and the name -- I remember him. He was actually -- he</b></p> <p>17 <b>was an (inaudible) at one time, but he never displayed</b></p> <p>18 <b>any violence towards anybody. He was a big guy.</b></p> <p>19 <b>There's many's a time I was sat in a room talking to him</b></p> <p>20 <b>even though he was an (inaudible).</b></p> <p>21 Q. This has got nothing to the with D87.</p> <p>22 <b>A. I thought that's what you were talking about, sorry.</b></p> <p>23 Q. That was the previous conversation. Let me tell you</p> <p>24 what it's about, if you think you've forgotten. This</p> <p>25 was about an incident that occurred, which you will have</p> <p style="text-align: center;">Page 42</p>	<p>1 The reason almost certainly he used that term is</p> <p>2 because, during the course of that incident, or the</p> <p>3 third part of that incident, Yan Paschali leans over, he</p> <p>4 says he was forced forward -- it perhaps doesn't matter</p> <p>5 overmuch why -- and he whispers, "You fucking piece of</p> <p>6 shit because I'm going to put you to fucking sleep", so</p> <p>7 that's where the word "sleep" comes from and Paschali is</p> <p>8 saying to Tulley, "Oh, I forgot you witnessed that. Oh,</p> <p>9 it was so funny, Derek, I wrapped up this fellow, right"</p> <p>10 and do you see those two words that you respond with,</p> <p>11 "I remember". What did you remember about it,</p> <p>12 Mr Murphy?</p> <p>13 <b>A. I remember there was a medical response in that room.</b></p> <p>14 <b>I don't remember -- I wasn't there so I can't comment on</b></p> <p>15 <b>any actions that were taken. I was only seeing what</b></p> <p>16 <b>everyone else was seeing on Panorama. So I wasn't there</b></p> <p>17 <b>and I can't comment on it, I'm sorry.</b></p> <p>18 Q. Here is Paschali saying, "It was so funny, Derek?"</p> <p>19 <b>A. Well, he was talking to me, wasn't he?</b></p> <p>20 Q. Do you think it was appropriate for somebody who had</p> <p>21 been engaged in even a C&amp;R, "wrapping up", as it was</p> <p>22 colloquially called in Brook House, do you think --</p> <p>23 <b>A. Maybe it was a coping mechanism that people had --</b></p> <p>24 Q. What --</p> <p>25 <b>A. -- because it was used so much.</b></p> <p style="text-align: center;">Page 44</p>

<p>1 Q. To find fun in these things?</p> <p>2 <b>A. You can say different things at different times.</b></p> <p>3 Q. Because that's not where it ends, Mr Murphy. Just below</p> <p>4 says Tulley -- because this was about Tulley being</p> <p>5 a pussy, wasn't it:</p> <p>6 "I weren't getting upset."</p> <p>7 Paschali was ribbing him:</p> <p>8 "I was blowing out my arse, you prick."</p> <p>9 Then Paschali says:</p> <p>10 "No, but I'm [choking] him ..."</p> <p>11 Had you ever heard of a wrapping-up technique,</p> <p>12 Mr Murphy, where an officer choked a detainee? These</p> <p>13 are his words:</p> <p>14 "No, but I'm [choking] him ..."</p> <p>15 <b>A. No.</b></p> <p>16 Q. "... and I thought ten more seconds you're going to</p> <p>17 sleep."</p> <p>18 Now, as you were listening to this, remembering</p> <p>19 something about this incident, although you hadn't been</p> <p>20 there, what did you think to yourself? Did you think</p> <p>21 that that all sounded legitimate or --</p> <p>22 <b>A. I can't remember what I thought. It's a long time ago.</b></p> <p>23 Q. No, I get that. But if you had thought that there was</p> <p>24 anything inappropriate about what Paschali was saying</p> <p>25 here about what he had done to this detainee a couple of</p> <p style="text-align: center;">Page 45</p>	<p>1 about loading a detainee onto an escort van:</p> <p>2 "He's in a cell basically in the back of the van."</p> <p>3 And a male officer, unidentified, given the</p> <p>4 number 1, says:</p> <p>5 "Yeah, in a prison van.</p> <p>6 "...</p> <p>7 "Prison van, fair play.</p> <p>8 "It wasn't a normal Tascor van, it was a prison</p> <p>9 van", says male officer 2:</p> <p>10 "This is what I'm saying", says Paschali, "We</p> <p>11 could've put him on the van if needs be. I've done it</p> <p>12 before."</p> <p>13 And you say:</p> <p>14 "We're not supposed to put them on the van, I mean,</p> <p>15 I've put [something] on the van, he'd lay down on the</p> <p>16 floor and ... I've done that lifts. Just chucked him</p> <p>17 into the cell."</p> <p>18 It continues. Says Paschali:</p> <p>19 "I go, fucking get in. Just fucking get in.</p> <p>20 "He said ... D'you want some air? I go, open the</p> <p>21 door ... I ain't giving him a [something is missed]."</p> <p>22 Did you ever chuck anybody physically into a cell,</p> <p>23 Mr Murphy?</p> <p>24 <b>A. No.</b></p> <p>25 Q. So when you use --</p> <p style="text-align: center;">Page 47</p>
<p>1 weeks earlier, what should you have done about it?</p> <p>2 <b>A. My thoughts are not in question here. I wasn't there.</b></p> <p>3 <b>I cannot comment on it.</b></p> <p>4 Q. No, but you can comment on what you heard Paschali</p> <p>5 admitting?</p> <p>6 <b>A. I cannot remember. I just said to you that I can't</b></p> <p>7 <b>remember the conversation.</b></p> <p>8 Q. You can --</p> <p>9 <b>A. If I remembered it, I'd comment on it.</b></p> <p>10 Q. Yes.</p> <p>11 <b>A. So I can't comment on it if I can't remember it.</b></p> <p>12 Q. So this is something else you can't remember. But at</p> <p>13 the time, it was clear to you, Mr Murphy, that what</p> <p>14 Yan Paschali was doing was admitting to, in effect, an</p> <p>15 assault, choking someone. What should you have done, do</p> <p>16 you think?</p> <p>17 <b>A. I can't comment on it because I can't remember it and</b></p> <p>18 <b>I wasn't there with the incident.</b></p> <p>19 Q. That's going to be your response?</p> <p>20 <b>A. Absolutely.</b></p> <p>21 Q. Go to page 44 of this transcript, please. We are still</p> <p>22 on the same day. There are a lot of conversations</p> <p>23 taking place. About halfway down, there was</p> <p>24 a conversation with Yan Paschali talking about "The</p> <p>25 minute you load him on, you lock the door". This is</p> <p style="text-align: center;">Page 46</p>	<p>1 <b>A. Is it a van cell you're on about, I presume, going by</b></p> <p>2 <b>the conversation? We weren't allowed to put people in</b></p> <p>3 <b>vans.</b></p> <p>4 Q. No. So where you use the words, assuming the transcript</p> <p>5 is accurate, "just chucked him into the cell", can you</p> <p>6 decipher for us what you were saying?</p> <p>7 <b>A. I can't decipher for you because I don't remember the</b></p> <p>8 <b>conversation. I'm just going by what I'm reading here.</b></p> <p>9 <b>Was this in a cell in a van? We weren't -- I never put</b></p> <p>10 <b>anybody in a van because we weren't allowed. That was</b></p> <p>11 <b>the escorts that were doing that.</b></p> <p>12 Q. On the next page, page 45, a third up from, really, the</p> <p>13 bottom of the end of that transcript, you see here</p> <p>14 Paschali and Tulley are still talking about the incident</p> <p>15 on 25 April, where Callum Tulley was saying to Paschali</p> <p>16 that he'd found it all very difficult, and we got</p> <p>17 Paschali saying, just about halfway down:</p> <p>18 "It's very difficult to explain. Callum's had</p> <p>19 a taste. He didn't cry but he got a bit upset.</p> <p>20 "I didn't cry. I was tired, Yan. I was fucking</p> <p>21 knackered. You didn't see me having to try and pull him</p> <p>22 out of the toilet ..."</p> <p>23 So that puts beyond doubt, because we know what the</p> <p>24 facts are and so did they, of what this discussion is</p> <p>25 all about:</p> <p style="text-align: center;">Page 48</p>

<p>1 "Callum, hear me out", says Paschali, "When you saw 2 him. I said, you didn't cry. 3 "Yeah ... I know I didn't. 4 "But you got a bit upset. I didn't say you cried. 5 What I'm trying to explain is, the likes of us, if these 6 guys see us in full action, they'd be delighted." 7 Now, you were there, Mr Murphy. Do you understand 8 from Paschali that he was glorifying violence? "They'd 9 be delighted", "If these guys see us in full action, 10 they'd be delighted". Did you understand it in that 11 way? 12 <b>A. I don't understand the conversation, so no.</b> 13 Q. "Try me, mate", says Tulley. 14 Male officer 1: 15 "I'd love to watch it." 16 And then Yan Paschali says this: 17 "We don't cringe at breaking bones." 18 Do you remember hearing that? 19 <b>A. No.</b> 20 Q. "We don't cringe at breaking bones"? 21 <b>A. I don't remember hearing that, no.</b> 22 Q. Well, you responded: 23 "No, that's [and something was missed]". 24 Paschali: 25 "If I killed ... I wouldn't be bothered. I'd carry</p> <p style="text-align: center;">Page 49</p>	<p>1 "Well, I'll fuck you up in a minute." 2 How were you going to fuck him up, Mr Murphy? 3 <b>A. I don't remember the conversation, so -- I can't 4 remember the conversation and I don't recognise the name 5 of the detainee.</b> 6 Q. But it sounds like a threat, doesn't it, if you were 7 being serious? 8 <b>A. I don't remember the conversation, so I can't say what 9 context it was in.</b> 10 Q. Do you agree the words themselves sound like a threat? 11 <b>A. I cannot remember the conversation, so I don't know what 12 context it was in, so I don't remember.</b> 13 Q. Let's go, please, to another transcript, &lt;TRN0000027&gt;, 14 this time for 18 May, at page 4, tab 55. Different 15 topic, Mr Murphy. We have got you, four or five lines 16 down, saying: 17 "I'm going to say this ..." 18 Page 5, please: 19 "I'm going to say this yeah, I don't know what the 20 hell you've done ..." 21 You're referring your remarks to a female nurse: 22 "... I don't know what the hell you've done, 23 bringing him back in off that van. That was abuse you 24 and bloody what's her name." 25 And the nurse says:</p> <p style="text-align: center;">Page 51</p>
<p>1 on. A lot of people are freaked out when you [something 2 missed]. Not you but [something missed again] but like 3 proper bit scared ... Someone like that ..." 4 On it goes: 5 "We don't cringe at breaking bones ... If I killed 6 ... I wouldn't be bothered." 7 I suggest you must have heard that because you 8 reacted to the first part of it, Mr Murphy. What 9 I would like to know is, if you heard that at the time, 10 do you think you ought to have done something about it? 11 <b>A. I cannot recall hearing that, so I am -- I can't comment 12 on it.</b> 13 Q. It sounds like, as I said earlier, the glorification of 14 the use of violence, don't you think? 15 <b>A. I can't comment on it because I can't remember the 16 conversation.</b> 17 Q. Let's go back to transcript 0000095, tab 51, chair. We 18 are back to 13 May. We go to page 6. This time, in 19 relation to another detainee, D1978. This is you, 20 Mr Murphy: 21 "I don't give a shit", says the detainee, to your 22 question, "What's up, man?": 23 "I don't give a shit because you guys fucked me, 24 fuck me up." 25 And you say:</p> <p style="text-align: center;">Page 50</p>	<p>1 "No. Are you serious?" 2 And you say, "Yeah". The nurse says: 3 "Can I ask you something? How can you take a man 4 that is on constant supervision and say gonna kill 5 himself and put him on a -- what you telling?" 6 You say: 7 "No, hold on. Hold on. Let me finish." 8 She says: 9 "Let me tell you something. If anything happened to 10 him, G4S is not going to stand up for me." 11 And she talks about the NMC outlining everything 12 that she's supposed to do and you say: 13 "Yeah, I just think -- because he was -- he was 14 going to go to Barcelona. It was arranged for him to 15 go -- the only thing he done wrong was he tried to hang 16 himself at the airport. 17 "Exactly", says the nurse: 18 "But there was no proof of that. Tascor never told 19 us; it was him that told us." 20 What was that all about, Mr Murphy? Any idea? 21 <b>A. I can't recall.</b> 22 Q. No idea? 23 <b>A. I can't recall, no.</b> 24 Q. If I give you a possible cipher number, which is on your 25 list, D2812, does that help you?</p> <p style="text-align: center;">Page 52</p>

<p>1 <b>A. No.</b></p> <p>2 Q. No?</p> <p>3 <b>A. No.</b></p> <p>4 Q. Just looking at this, you're clearly having an argument</p> <p>5 with a nurse, who is concerned about a man who is on</p> <p>6 constant supervision saying he was gonna kill himself,</p> <p>7 who had been taken off a van, and you were clearly upset</p> <p>8 with that, according to what you said towards the top of</p> <p>9 the page, but it doesn't ring any bells for you?</p> <p>10 <b>A. No.</b></p> <p>11 Q. Tab 60, chair, another transcript, &lt;TRN0000092&gt;, first</p> <p>12 of all at page 24. Now, this is in relation to</p> <p>13 a detainee who is ciphered as D149. We can see, at line</p> <p>14 721, you were captured saying:</p> <p>15 "Hold that door. Here, you ..."</p> <p>16 There is some shouting:</p> <p>17 "Clean that window ... Clean the window. Here ...</p> <p>18 clean this window."</p> <p>19 And whatever D149 says is indecipherable. Tulley</p> <p>20 tells D149 to go away and he responds in some way that</p> <p>21 again is inaudible. You say:</p> <p>22 "Tell him, if he keeps going on I'm going to smash</p> <p>23 the fucking shit out of him."</p> <p>24 And the detainee is seen to be holding something in</p> <p>25 the palm of his hand. His arm is outstretched through</p> <p style="text-align: center;">Page 53</p>	<p>1 <b>A. Because I -- he was the only one -- I was the only one</b></p> <p>2 <b>that he would let near him, and he was one of the ones</b></p> <p>3 <b>I used to sit in the room and he would be crying, and</b></p> <p>4 <b>I actually was the only one that -- with detainees, if</b></p> <p>5 <b>they're going -- he'd have mental issues, going by the</b></p> <p>6 <b>nurses, and he was the only one -- I was the only one he</b></p> <p>7 <b>would let be handcuffed to when he was being escorted to</b></p> <p>8 <b>the hospital and I waited in the hospital with him. But</b></p> <p>9 <b>I don't see anything about that on here.</b></p> <p>10 Q. Well, that's because this is a transcript of</p> <p>11 a conversation you had?</p> <p>12 <b>A. Yes.</b></p> <p>13 Q. It's got nothing to do with whether you won an award for</p> <p>14 employee of the month or, for that matter, on other</p> <p>15 occasions when you escorted him to hospital.</p> <p>16 <b>A. Yes.</b></p> <p>17 Q. But what it does have to do with is it shows you</p> <p>18 threatening a detainee with "smashing the fucking shit</p> <p>19 out of him". Why do you think you did that?</p> <p>20 <b>A. I would never have -- I would never have done that.</b></p> <p>21 <b>I never did do that.</b></p> <p>22 Q. No, but how did the detainee know that you didn't mean</p> <p>23 it?</p> <p>24 <b>A. Because I had a good rapport with the detainee.</b></p> <p>25 Q. So because you had a good rapport, he would naturally</p> <p style="text-align: center;">Page 55</p>
<p>1 the window of the door. And you repeat:</p> <p>2 "I'm gonna smash you up, right?"</p> <p>3 "..."</p> <p>4 "Clean that window."</p> <p>5 And D149 says:</p> <p>6 "Shut this, bro. See, easy."</p> <p>7 Do you remember that?</p> <p>8 <b>A. From what I recall from the footage, yes, I do.</b></p> <p>9 Q. Do you agree that you threatened this man with smashing</p> <p>10 the fucking shit out of him. Is that what you were</p> <p>11 referring to earlier?</p> <p>12 <b>A. I wasn't -- what do you mean "earlier"?</b></p> <p>13 Q. You said earlier that you were referring --</p> <p>14 <b>A. Yes.</b></p> <p>15 Q. -- to some footage you had seen where you agreed you</p> <p>16 said something like it?</p> <p>17 <b>A. Yes.</b></p> <p>18 Q. And I'm asking you if this is it?</p> <p>19 <b>A. Yes, it is.</b></p> <p>20 Q. Right.</p> <p>21 <b>A. But I remember that this detainee -- I actually got</b></p> <p>22 <b>employee of the month with the work I put in with this</b></p> <p>23 <b>young man, but that's not in any transcript or video, is</b></p> <p>24 <b>it?</b></p> <p>25 Q. You got employee of the month?</p> <p style="text-align: center;">Page 54</p>	<p>1 think, "When Derek says to me, 'I'm going to smash the</p> <p>2 fucking shit out of you', he doesn't mean it"?</p> <p>3 <b>A. Twenty minutes later, I was in the room, sitting on the</b></p> <p>4 <b>bed with him, holding his hand. So obviously he knew.</b></p> <p>5 <b>He built up a trust with me and I built up a trust with</b></p> <p>6 <b>him.</b></p> <p>7 Q. So why say it? If you had a rapport with a detainee,</p> <p>8 why are you using a threat like that?</p> <p>9 <b>A. Coping mechanisms, frustration, overworked, overused for</b></p> <p>10 <b>C&amp;R.</b></p> <p>11 Q. What were you frustrated about, do you think?</p> <p>12 <b>A. Lack of staff, lack of support.</b></p> <p>13 Q. But in this instance, looking at this transcript, what</p> <p>14 was it that you were frustrated about to utter the</p> <p>15 words --</p> <p>16 <b>A. I can't remember exactly. I can't remember exactly.</b></p> <p>17 Q. Well, it was something about cleaning a window. Was he</p> <p>18 not doing something he was supposed to do?</p> <p>19 <b>A. If I remembered, I would say it to you. You keep asking</b></p> <p>20 <b>me the same question over again. If I remembered,</b></p> <p>21 <b>I would say it to you. In fact, when he came back from</b></p> <p>22 <b>the hospital, he was a totally different person and we</b></p> <p>23 <b>sat down and we had a good chat together. He was a nice</b></p> <p>24 <b>kid. I remember him.</b></p> <p>25 Q. If we go to the next but one page, page 26, Tulley says:</p> <p style="text-align: center;">Page 56</p>

<p>1 "What are you doing? He's so annoying."</p> <p>2 And a detainee, it could be the same one, is in</p> <p>3 a cell banging the door, making lots of noise, and you</p> <p>4 say something that's not picked up. This is 14 June, by</p> <p>5 the way:</p> <p>6 "This needs to stay shut. Put your hand back in."</p> <p>7 And the detainee apparently extends his arm through</p> <p>8 the door window with an unlit cigarette in his hand and</p> <p>9 you say:</p> <p>10 "Listen, so listen, stop fucking about, you</p> <p>11 understand me? Stop. All right? That stays closed.</p> <p>12 Listen, I don't want to come back in this room again.</p> <p>13 You will be in trouble, all right?</p> <p>14 "You understand? You don't want to be in trouble</p> <p>15 with me. Trust me."</p> <p>16 What did being in trouble with Derek Murphy mean?</p> <p>17 What did that look like?</p> <p>18 <b>A. I would have took his tobacco off him. You'd allow them</b></p> <p>19 <b>two or three cigarettes and -- yeah, that was the main</b></p> <p>20 <b>thing. That's the only trouble he would have been in</b></p> <p>21 <b>with me.</b></p> <p>22 Q. So not physical?</p> <p>23 <b>A. Absolutely not.</b></p> <p>24 Q. Just purely confiscating something?</p> <p>25 <b>A. Yes, absolutely.</b></p> <p style="text-align: center;">Page 57</p>	<p>1 works, right?</p> <p>2 "...</p> <p>3 "Put it on them and you have to rag them up a bit,</p> <p>4 put them on the bed by the scruff of their neck or</p> <p>5 whatever. And then sit down and it's all right. Talk</p> <p>6 to them like fucking men. I noticed it kind of works,</p> <p>7 you know."</p> <p>8 What were you saying?</p> <p>9 <b>A. I can't remember the conversation.</b></p> <p>10 Q. But we can get an idea, can't we, from the words?</p> <p>11 <b>A. I can't remember the conversation. I can't -- I don't</b></p> <p>12 <b>know what context it was in or anything. I can't</b></p> <p>13 <b>remember the conversation.</b></p> <p>14 Q. Well, it was about detainees' behaviour, and what you're</p> <p>15 saying to somebody else is, first of all, that you're</p> <p>16 not going to take any shit off them, but you can go in</p> <p>17 with the care bear's head on. What did you mean by</p> <p>18 "care bear's" --</p> <p>19 <b>A. I don't understand. I don't remember saying that.</b></p> <p>20 Q. Yes. Because you "found that works". Well, is that</p> <p>21 being compassionate? In other words, you begin with</p> <p>22 a bit of tough love, in the sense that you make sure</p> <p>23 that they understand who is boss. Then you can go in</p> <p>24 with your "care bear's head on" -- in other words, you</p> <p>25 can be nice, so it is a bit of bad cop/good cop.</p> <p style="text-align: center;">Page 59</p>
<p>1 Q. Then on page 28, a detainee is clearly present:</p> <p>2 "Drop your body to the [something]."</p> <p>3 And then Callum Tulley says:</p> <p>4 "He's not a happy bunny, is he?"</p> <p>5 And then you say:</p> <p>6 "You look like a fucking mong. Get in your room."</p> <p>7 And then towards the bottom:</p> <p>8 "He looks like a right cunt, doesn't he?"</p> <p>9 We are back to language, but we are just going</p> <p>10 through the transcripts of what was developing. Who</p> <p>11 looked like a "fucking mong" or a "right cunt"?</p> <p>12 <b>A. I can't remember. The language, it's obvious I said it,</b></p> <p>13 <b>but I can't remember who the detainee was.</b></p> <p>14 Q. So you accept, if you said this, inappropriate,</p> <p>15 unprofessional?</p> <p>16 <b>A. Yes.</b></p> <p>17 Q. But just a coping mechanism, was it? This is a result</p> <p>18 of frustrations or --</p> <p>19 <b>A. It was inappropriate and unprofessional.</b></p> <p>20 Q. Then if we go to page 32, please, towards the bottom, at</p> <p>21 line 908, this is you talking:</p> <p>22 "You have to know. Go ahead, go ahead, they have to</p> <p>23 know that I am not going to take any shit off them. And</p> <p>24 then you can go in with the care bear's head on, you</p> <p>25 know. I find that it, Gary, honestly. I find that</p> <p style="text-align: center;">Page 58</p>	<p>1 <b>A. But they're your words. They're not mine.</b></p> <p>2 Q. No, they are my words. I'm asking whether you agree or</p> <p>3 disagree?</p> <p>4 <b>A. I disagree -- well, I don't know because I can't</b></p> <p>5 <b>remember the conversation. They seem to be your words.</b></p> <p>6 <b>So -- they're not my words, so --</b></p> <p>7 Q. Line 912:</p> <p>8 "... put it on them and you have to rag them up</p> <p>9 a bit, put them on the bed by the scruff of their neck</p> <p>10 or whatever."</p> <p>11 What does "rag them up a bit" mean?</p> <p>12 <b>A. I don't understand the conversation. I can't remember</b></p> <p>13 <b>the conversation.</b></p> <p>14 Q. What about "put them on the bed by the scruff of their</p> <p>15 neck"? What does that mean?</p> <p>16 <b>A. I don't know. I can't understand the conversation, as</b></p> <p>17 <b>I said to you again. I never put anybody on the bed by</b></p> <p>18 <b>the scruff of their neck, so ...</b></p> <p>19 Q. "... and then sit down and it's all right. Talk to them</p> <p>20 like fucking men". What you seem to be saying there is,</p> <p>21 in other words, rough them up a bit and then sit them</p> <p>22 down again and it's all right, talk to them like men?</p> <p>23 <b>A. It seems to be -- in your words, it seems to be, but</b></p> <p>24 <b>I can't remember the conversation. If I could remember</b></p> <p>25 <b>the conversation, I'd explain it.</b></p> <p style="text-align: center;">Page 60</p>

15 (Pages 57 to 60)

<p>1 Q. Let's move away for a moment from this transcript and 2 look at another document. Can we go, please, to 3 &lt;CJS005928&gt;, please. That should be tab 5 for you, 4 chair, so you'll have to go to the first volume. Now, 5 this was an investigation report by G4S into you, 6 Mr Murphy. You will have seen this, I'm sure. Is that 7 right?</p> <p>8 <b>A. I can't remember this. I'll have a look at it, if you 9 don't mind. Let me just read through it for a second to 10 see if I remember it.</b></p> <p>11 Q. By all means, if you want to have a look, or have a look 12 in the hard copy, you can do that.</p> <p>13 <b>A. I'll have a look on the screen, if you don't mind.</b></p> <p>14 Q. I'm only going to take you to parts of it, for the time 15 being. Let's see how we go. Page 3, please. What we 16 will see -- perhaps page 2 to begin with -- the BBC have 17 raised several allegations which might constitute 18 misconduct against you. It involved, so that you can 19 get the big picture here, saying:</p> <p>20 "On 8 May, while on shift the previous week, you had 21 chopped with your open hand or punched a detainee on 22 E wing under the chin, causing him to spit out a razor 23 blade ..."</p> <p>24 On 14 June, you had said of a different detainee -- 25 we will come to this -- D1275, who had taken spice,</p> <p style="text-align: center;">Page 61</p>	<p>1 smash the fucking shit out of him', 'Listen, listen, 2 stop fucking about, you understand, stop' and 'I don't 3 want to come back in this room again, you'll be in 4 trouble ..."</p> <p>5 <b>A. We just went through that a few minutes ago, didn't we?</b></p> <p>6 Q. Yes. That's why I'm asking you about what G4S found:</p> <p>7 "DCO Murphy was asked to explain his actions as 8 again this evidence is clearly seen and heard in the 9 documentary.</p> <p>10 "DCO Murphy stated that the detainee had been 11 playing up, banging on the door. He went and closed the 12 glass panel in the door and this is when the detainee 13 spat at the glass and some spit hit DCO Murphy in the 14 face. He described himself as becoming more frustrated 15 at this."</p> <p>16 So when you were interviewed by G4S, you remembered 17 what had gone on, but you've forgotten it since?</p> <p>18 <b>A. It's a long time ago, yes.</b></p> <p>19 Q. "DCO Murphy said this is when he is seen on footage to 20 turn and look over his shoulder and make these comments 21 to DCO Tulley. DCO Murphy went on to say that while 22 these comments were said, he had no intention of 23 actually acting them out.</p> <p>24 "We asked DCO Murphy why he would make such comments 25 to a vulnerable person and threaten a detainee."</p> <p style="text-align: center;">Page 63</p>
<p>1 "Look at the state of that. Imagine bringing that home 2 to mother. Absolutely no sympathy for them at all. If 3 he dies, he dies".</p> <p>4 Again on 14 June, threatened a detainee with serious 5 pre-existing mental health, who was later sectioned in 6 the psychiatric hospital, by saying, "Clean this 7 window". That's what I wanted to look at, the third 8 allegation:</p> <p>9 "Tell him, if he keeps going, I'm going to smash the 10 fucking shit out of him."</p> <p>11 Something about 6 July. Then, fifthly, on an 12 unknown date, alleging -- you were alleged to have 13 punched a detainee on the jaw after previously being 14 bitten by him.</p> <p>15 And then allegation 6. In early 2017, you were 16 alleged to have seen that a detainee D275, had 17 self-harmed by cutting at the site of a recent hernia 18 operation, causing himself to bleed, but you took no 19 action.</p> <p>20 But it's allegation 3 that I'm interested in for the 21 moment. Let's look at page 5, please, of this document:</p> <p>22 "On 14 June, you threatened a detainee with serious 23 pre-existing mental health issues, who was later 24 sectioned in a psychiatric hospital, by saying, 'Clean 25 this window', 'Tell him if he keeps going I'm going to</p> <p style="text-align: center;">Page 62</p>	<p>1 You denied it as being a threat but accepted it did 2 not look good. You said that it was not said directly 3 to the detainee but admitted, when pressed, that it was 4 said immediately outside the detainee's room and in 5 earshot of the detainee, and in this case you accepted 6 it may have been perceived as a threat by the detainee.</p> <p>7 <b>A. This wasn't an interview, it was an interrogation. 8 I remember it, yeah, and I did say that, yeah.</b></p> <p>9 Q. "When challenged about making this statement, DCO Murphy 10 admitted that it was neither professional nor 11 acceptable.</p> <p>12 "DCO Murphy went on to say that although his 13 comments were not professional he had a good rapport 14 with the detainee ..."</p> <p>15 Which is what you have told us:</p> <p>16 "... and following this incident some time later he 17 was asked to accompany the detainee to a psychiatric 18 hospital, which he did, reassuring the detainee that 19 everything would be okay.</p> <p>20 "[He] stated that although he was a big man he had 21 a soft side to him and he cares and takes his job 22 seriously."</p> <p>23 This allegation wasn't contested by you. So you 24 accept all of that, and certainly did at the time, that 25 G4S, as you put it, interrogated you?</p> <p style="text-align: center;">Page 64</p>



<p>1 <b>A. Yes. The reason why -- I forgot a lot between now and</b>  2 <b>then, it's five years ago, and my coping mechanism, with</b>  3 <b>everything else that happened in my life since, is a lot</b>  4 <b>of alcohol and a lot of prescription drugs, so -- and</b>  5 <b>that's how I've been coping and that's how I still cope.</b>  6 <b>I know it's irrelevant to you and irrelevant to the</b>  7 <b>inquiry, but it's very relevant to me.</b>  8 Q. We understand. Thank you.  9 <b>A. Well, obviously you don't understand. Not the way</b>  10 <b>you're speaking to me this morning. Continue. That's</b>  11 <b>okay.</b>  12 Q. Mr Murphy, I have a job to do.  13 <b>A. Absolutely, I understand that.</b>  14 Q. You have given your evidence and you are explaining why  15 you are finding difficulty remembering these things, and  16 the inquiry has heard your evidence, but I'm going to  17 carry on asking you questions.  18 <b>A. Okay, yes, thank you.</b>  19 Q. I'm not going to stop.  20 <b>A. No, no, that's fine.</b>  21 Q. Let's look at another transcript, please. Go back to  22 the second volume, tab 57. It is &lt;TRN0000080&gt; at  23 page 11. I'm asked, on behalf of some of the core  24 participants in this inquiry, Mr Murphy, to ask you  25 about this. It's 5 June. You are in, I think, one of</p> <p style="text-align: center;">Page 65</p>	<p>1 "Lock them up or fucking deport them, one of  2 the two."  3 This other officer says:  4 "Yeah, but they are going to get back, won't they?"  5 They are talking across each other and you say:  6 "Well, what is the solution?"  7 The other officer says:  8 "Try bullets ..."  9 And you say:  10 "Oh, well, that'd be an ideal solution ..."  11 And Tulley says:  12 "Yeah, reality is, they are not going to allow  13 that."  14 And the officer says:  15 "Let them go to Syria. Get one of them ... locate  16 their little chip, send a drone in. Delightful. Job  17 done ... British soil."  18 You say:  19 "Think about this. In 2009, ISIS broadcast to the  20 world saying that we are going to kill you with our  21 soldiers disguised as refugees, and they done it and the  22 whole fucking -- Europe, sat back and let it happen."  23 The other officer said:  24 "Yeah, look what Germany did, let them all in ..."  25 And you say:</p> <p style="text-align: center;">Page 67</p>
<p>1 the staff rooms and the television is on, about the  2 conflict in Syria and the number of British Jihadists  3 who had gone to join the ranks of ISIS. You said:  4 "They shouldn't be allowed back in the country,  5 mate."  6 Tulley says:  7 "Where are they from?"  8 And you say:  9 "And if they come back, put them in internment  10 camps."  11 Another officer says:  12 "They're from Britain, mate."  13 And Tulley says:  14 "Oh, born in Britain?"  15 And you say:  16 "Yeah, generation ... They're all second  17 generation."  18 And another officer talks about Russia:  19 "Put them in internment camps."  20 And the television is on in the background:  21 "What do you think the best way to deal with them  22 is?", says Tulley. And he says:  23 "Well, they just said he was known to the security  24 services."  25 And you say:</p> <p style="text-align: center;">Page 66</p>	<p>1 "Opened the floodgates to them and refugees ...  2 there were soldiers."  3 The question I'm asked to ask you is whether those  4 kind of views expressed there about refugees and trying  5 bullets, and so on, were commonly held amongst staff?  6 <b>A. I don't remember the conversation, but it was clearly</b>  7 <b>not about Brook House, so -- everyone is entitled to</b>  8 <b>their views, so I'm not going to comment on it.</b>  9 Q. Was there a general feeling that immigrants in general  10 were threatening or dangerous?  11 <b>A. I don't remember this conversation, so I'm not going to</b>  12 <b>comment on it.</b>  13 MR ALTMAN: I'm going to come on to something else. We are  14 slightly early for a break, chair, by a minute, but  15 perhaps that would be a good time for a break.  16 We will have a break now, Mr Murphy, of about  17 quarter of an hour, chair, and come back at 11.45 am.  18 THE CHAIR: Thank you.  19 (11.29 am)  20 (A short break)  21 (11.49 am)  22 MR ALTMAN: We are going now, Mr Murphy, to deal with an  23 incident which I'm sure you will be familiar with, which  24 deals with D1275, who had taken spice on 14 June. Can  25 we, by way of background, first of all, look at another</p> <p style="text-align: center;">Page 68</p>

<p>1 document. Chair, you will have to go to another file.</p> <p>2 Chair, for you, it is tab 41. For us, &lt;CJS001120&gt;.</p> <p>3 I just want to put the whole thing in context.</p> <p>4 If we scroll down from the top, please, we see this</p> <p>5 is a G4S mental health referral form in relation to</p> <p>6 D1275. It is dated 1 May. The reason he was referred:</p> <p>7 "New admission. Claims mental health issues.</p> <p>8 States he hears voices. Repeated 'They will find me' on</p> <p>9 admission. Would not elaborate on who he was referring</p> <p>10 to or what would happen if 'they' found him.</p> <p>11 Preoccupied and inappropriate in manner. Vague and</p> <p>12 misleading with answers to questions on admission."</p> <p>13 So that was 1 May. And clearly not a well man, who</p> <p>14 was referred for mental health investigation.</p> <p>15 If we go, please, to another document, chair, in the</p> <p>16 next tab for you, &lt;CJS004978&gt;. This is a security</p> <p>17 information report. A security information report,</p> <p>18 Mr Murphy, which appears to have been opened on 8 June.</p> <p>19 If you go to the next page, subject heading "Medical</p> <p>20 response emergency -- under influence of drugs". This</p> <p>21 relates principally to D476 but it reads this way:</p> <p>22 "Around 2000 hours on [8 June] I was booking</p> <p>23 a detainee into room C109 on Clyde wing and said he</p> <p>24 could go up to the room to put his property in. He came</p> <p>25 back saying there were some men in his room, but to my</p> <p style="text-align: center;">Page 69</p>	<p>1 <b>I -- especially not mental health, no.</b></p> <p>2 Q. Did you work on E wing at all?</p> <p>3 <b>A. I did, yes.</b></p> <p>4 Q. Would you assume that somebody on E wing was unwell or</p> <p>5 was it not -- was it an assumption that was made by</p> <p>6 default?</p> <p>7 <b>A. E wing was a place where, if guys were down there for</b></p> <p>8 <b>their own protection or if they were being disruptive or</b></p> <p>9 <b>unruly on the wings, if they were causing trouble when</b></p> <p>10 <b>they were admitted to Brook House or if they were --</b></p> <p>11 <b>after being in segregation area and they're come back</b></p> <p>12 <b>out to C -- to E wing for a day or two and then back to</b></p> <p>13 <b>their own wings. We did have ill people there, as their</b></p> <p>14 <b>mental health or their -- the healthcare would come down</b></p> <p>15 <b>with them and say, "Look, this guy is not well". We put</b></p> <p>16 <b>them in a medical room, with a bigger window in it.</b></p> <p>17 <b>There was two rooms with that.</b></p> <p>18 Q. But what you are telling us is, as far as this man is</p> <p>19 concerned, you had no particular reason that you can</p> <p>20 recall now --</p> <p>21 <b>A. No.</b></p> <p>22 Q. -- to know anything about him?</p> <p>23 <b>A. No.</b></p> <p>24 Q. Let's look at another document, tab 43, chair, another</p> <p>25 SIR, another security information report, this one</p> <p style="text-align: center;">Page 71</p>
<p>1 knowledge the room should have been empty. I walked to</p> <p>2 room C ..."</p> <p>3 It says 209:</p> <p>4 "... to find D1300 ..."</p> <p>5 And it reads:</p> <p>6 "... and D318 leaving the room and appeared to be</p> <p>7 heavily under the influence of drugs. Upon entering the</p> <p>8 room, I found D318, D1732 and D1275 both under the</p> <p>9 influence of drugs. D1732 appeared in a state that</p> <p>10 I found it necessary to call emergency healthcare</p> <p>11 response. He was laying on his side and did not appear</p> <p>12 to know what was going on and did not respond to me when</p> <p>13 I asked if he was ok."</p> <p>14 It continues about 1732 but I'm focusing on D1275.</p> <p>15 So on this occasion, 8 June, we have D1275 in a room on</p> <p>16 C wing under the influence of drugs with two other men.</p> <p>17 Now, just looking at this sort of thing, Mr Murphy,</p> <p>18 would you have known about this issue? I'm not saying</p> <p>19 that you reported on this taking of drugs any more than</p> <p>20 you filled out the form that I showed a moment or two</p> <p>21 ago on 1 May, that he, 1275, was subject to mental</p> <p>22 health referral. But were you likely to have known</p> <p>23 anything about him or his background?</p> <p>24 <b>A. No, I don't think so, no. We were never given access to</b></p> <p>25 <b>any medical records unless they were self-harmers. No,</b></p> <p style="text-align: center;">Page 70</p>	<p>1 directly in relation to D1275. It is &lt;CJS004642&gt;. If</p> <p>2 we can go to the next page, please. "Incident location:</p> <p>3 outside A wing", "Subject heading: Possible pass". The</p> <p>4 content is:</p> <p>5 "At about 1340 ... on Tuesday 20 June ..."</p> <p>6 So this postdates the spice attack, which I'm going</p> <p>7 to come to in a minute, which took place on 14 June.</p> <p>8 But it's just showing some history about this man:</p> <p>9 "... working on Eden wing ... At this time I left</p> <p>10 the wing, and as I did, I saw a detainee I now know to</p> <p>11 be D1275 squatted down by the A wing door ... attempting</p> <p>12 to pass something under the door. I took hold of the</p> <p>13 item which was a piece of paper -- coloured in -- and</p> <p>14 had some writing on it. I asked him what this was and</p> <p>15 who he was giving it to. He was very aggressive and</p> <p>16 tried to snatch it from me. He would not say what he</p> <p>17 was doing and who it was for -- he just said it was his.</p> <p>18 I then said if it was his why was he passing it under</p> <p>19 the door? He just swore at me and walked off."</p> <p>20 So that was 20 June. Perhaps if we go to page 4, we</p> <p>21 can see the sort of thing that, according to this SIR,</p> <p>22 he was trying to pass, a piece of paper. Does that look</p> <p>23 like anything you've seen before, Mr Murphy?</p> <p>24 <b>A. No.</b></p> <p>25 Q. If we go, please, to a document we have seen before in</p> <p style="text-align: center;">Page 72</p>

<p>1 phase 1 of this inquiry, &lt;CJS005347&gt;, tab 44, it is  2 another security information report, this one dated  3 26 June, and if we go to the next page -- 22 June, not  4 the 26th. It is again about the same man:  5 "Appears not to be in a positive ..."  6 Some of the words fall off the page so we either  7 guess or don't read them:  8 "Appears not to be in a positive mental state and  9 seems to be vulnerable and I believe has been taken  10 advantage of on C wing. I believe that people are  11 [perhaps using] him as a kind of 'guinea pig' to try out  12 drugs as I have [seen] him socialise with detainees  13 known to be active drug ['users', perhaps] dealers.  14 Also, at one point he was cleaning the tables downstairs  15 and he isn't a cleaner, so having questioned ..."  16 Presumably "his":  17 "... roommate about this his roommate says that  18 there are detainees getting him to do the cleaning while  19 they get ..."  20 Something is missing:  21 "... and in return giving him biscuits and other  22 food items. He heard this from his roommate. Have also  23 seen people [take] his cutlery and plates whilst at the  24 food queue and him [presumably 'not'] saying anything.  25 D1275 has been seen [something] by as a messenger by</p> <p style="text-align: center;">Page 73</p>	<p>1 involving a detainee ..."  2 This is a BBC document:  3 "... who took spice named D1275."  4 Then line 16:  5 "On the 15th June, there were four medical responses  6 called for 'spice attacks', three were simultaneous.  7 One of which resulted in a detainee from Kosovo called  8 D1275 having fits. His heart rate was so erratic that,  9 eventually, an ambulance was called.  10 "On the 19th of June, there were two simultaneous  11 incidents involving spice, [also requiring] medical  12 responses."  13 First of all, was spice a particular problem in  14 Brook House?  15 <b>A. Yes.</b>  16 Q. Was it a daily problem?  17 <b>A. Virtually, yes.</b>  18 Q. Often leading to medical emergencies like this one on  19 14 June?  20 <b>A. Yes.</b>  21 Q. Go back, please, in the same document to page 2. I want  22 to ask you about something else in this regard. Do you  23 see the heading there is "Ease of access to illegal  24 narcotics" at line 12?  25 <b>A. Yes.</b></p> <p style="text-align: center;">Page 75</p>
<p>1 several detainees not on this wing, where they have  2 treated him in an abusive manner, often clutching him by  3 the neck and forcing him to go back and forth with  4 messages, and was seen by another officer being asked to  5 get a phone and demanding for this phone for another  6 detainee. We don't feel that he is aware of ['some',  7 perhaps], decisions that he makes and he does get along  8 with the Iranians in room C019 and his roommate does try  9 to look [after] him [or "look for him"] but we do think  10 he could possibly be taken advantage of."  11 So that's some of the history of this man pre and  12 post the incident that I will shortly come to. Did you  13 have any idea that this man was being used by others as  14 a guinea pig?  15 <b>A. I don't know who the man is. I don't recognise the</b>  16 <b>name.</b>  17 Q. You've got the name, you know the cipher of D1275?  18 <b>A. I don't recognise the name.</b>  19 Q. All right. Can I ask you to look at something else  20 while we have you in the witness box, please, Mr Murphy.  21 It is tab 40. Forgive me while I find the -- I haven't  22 marked up this document. I'm just looking for the  23 correct page. Just give me a moment. &lt;SXP000057&gt; at  24 page 3. Something we have seen before. On line 14:  25 "On the 14th of June there [was] another incident</p> <p style="text-align: center;">Page 74</p>	<p>1 Q. At line 21, it refers to 12 May, another detainee, 852,  2 on E wing after being observed high on spice, believed  3 to have been given the illegal narcotic without his  4 consent, spiked by other detainees. Did you know of  5 anything like that? So, in other words, not only  6 detainees taking spice voluntarily, but also other  7 detainees, if not being used as a guinea pig, knowingly,  8 deliberately being spiked with spice?  9 <b>A. No, not to my recollection, I didn't. I know they were</b>  10 <b>used as guinea pigs, as in asked to take them, but</b>  11 <b>I didn't know about it being spiked, from my</b>  12 <b>recollection, anyway.</b>  13 Q. But there's no question, is there, Mr Murphy, that some  14 of these attacks, including that on 14 June that we just  15 looked at and we will look at again in a second, were so  16 serious that they were life-or-death events?  17 <b>A. Yes.</b>  18 Q. It was just pure luck that nobody died?  19 <b>A. Yes, I agree.</b>  20 Q. Also, I suppose, you'd have no idea, individuals, and  21 probably not healthcare in respect of individuals,  22 whether they had tolerance to what they were taking?  23 <b>A. No.</b>  24 Q. How much they'd taken?  25 <b>A. I wouldn't have a clue.</b></p> <p style="text-align: center;">Page 76</p>

<p>1 Q. Can we look, please, with that in mind, at &lt;TRN0000092&gt;.</p> <p>2 Chair, it's at tab 60. Page 37, I think. This is</p> <p>3 a whole episode with D1275. It begins, I think you will</p> <p>4 remember, in the courtyard. Do you remember that? Do</p> <p>5 you remember seeing that on Panorama?</p> <p>6 <b>A. I can't remember.</b></p> <p>7 Q. And then eventually he is taken, if my memory serves me,</p> <p>8 to a room -- no? Doesn't mean anything?</p> <p>9 <b>A. At the minute, I can't remember.</b></p> <p>10 Q. All right. What you may remember, towards the end of</p> <p>11 page 37, at line 1097, is you saying:</p> <p>12 "I've no fucking sym ..."</p> <p>13 And you don't complete the word:</p> <p>14 "... look at the state of that, look imagine</p> <p>15 bringing that home to your mother."</p> <p>16 Why did you say that?</p> <p>17 <b>A. Out of frustration, I presume, because it was -- all the</b></p> <p>18 <b>spice attacks, there was -- it was -- it was horrible.</b></p> <p>19 <b>I was probably -- it's not very nice, and I apologise to</b></p> <p>20 <b>the inquiry for it, but it was very, very frustrating</b></p> <p>21 <b>when you're dealing with these and sometimes multiple</b></p> <p>22 <b>times in the same day. Yeah, it was -- it was very</b></p> <p>23 <b>unprofessional and it wasn't very nice and I do</b></p> <p>24 <b>apologise for it.</b></p> <p>25 Q. I mean, did you have "no fucking sympathy" for him, even</p> <p style="text-align: center;">Page 77</p>	<p>1 <b>we were a product of our environment, unfortunately.</b></p> <p>2 Q. But you understand what I'm saying, that it leads to</p> <p>3 this sort of thing, because you're not the only person.</p> <p>4 It leads to a culture whereby not only do people say</p> <p>5 things like this, and you said that sort of thing here,</p> <p>6 but it leads others to think not only that it's all</p> <p>7 right, but perhaps it impacts on the way that they think</p> <p>8 about these detainees --</p> <p>9 <b>A. Yes, I agree, yes.</b></p> <p>10 Q. -- and care for them?</p> <p>11 <b>A. Again, I apologise to the inquiry for that. It was</b></p> <p>12 <b>fairly unprofessional and not very nice.</b></p> <p>13 Q. I assume, Mr Murphy, you will agree with the words you</p> <p>14 have just used when I ask you to consider what you said</p> <p>15 at page 40, because, at this point, you were actually in</p> <p>16 the man's room. At line 1231.</p> <p>17 <b>A. Line what, sorry?</b></p> <p>18 Q. 1231. This time you complete the sentence that you --</p> <p>19 forgive me, chair, tab 60, line 1231, page 40. This</p> <p>20 time you complete the sentence you failed to complete</p> <p>21 a little earlier. This time, you say:</p> <p>22 "I've no sympathy for them, absolutely no sympathy</p> <p>23 for them at all. If he dies, he dies."</p> <p>24 What are you saying about that?</p> <p>25 <b>A. I brought this up at my interrogation with G4S, that the</b></p> <p style="text-align: center;">Page 79</p>
<p>1 though --</p> <p>2 <b>A. It's not the fact I didn't have sympathy for them.</b></p> <p>3 <b>I've -- on numerous times, I've sat with some guys and</b></p> <p>4 <b>I'd say to them -- I told them that one day someone is</b></p> <p>5 <b>going to die and I'd explain it and explain and, yeah,</b></p> <p>6 <b>"It won't be me, boss", and whatever, and then the same</b></p> <p>7 <b>guy you might spend a week trying to talk out of it.</b></p> <p>8 <b>He'd keep on turning up on E wing and he'd be in an</b></p> <p>9 <b>awful state.</b></p> <p>10 Q. "Look at the state of that ... imagine bringing that</p> <p>11 home to your mother". What was the point in saying</p> <p>12 something like that?</p> <p>13 <b>A. It was very unprofessional. And I have apologised</b></p> <p>14 <b>already for saying that. It was very unprofessional.</b></p> <p>15 Q. You do.</p> <p>16 <b>A. Pardon?</b></p> <p>17 Q. I said you do apologise for it.</p> <p>18 <b>A. Yep.</b></p> <p>19 Q. But do you also accept that, to those around you, who</p> <p>20 are hearing you saying that sort of thing, it becomes</p> <p>21 a culture where people just say uncaring things,</p> <p>22 inappropriate and unprofessional things, and it leads to</p> <p>23 a sort of mushrooming, like an infection, that if one</p> <p>24 person can say it, everybody can say it?</p> <p>25 <b>A. That was the culture within Brook House. It was that --</b></p> <p style="text-align: center;">Page 78</p>	<p>1 <b>whole conversation wasn't aired. It was cleverly edited</b></p> <p>2 <b>for effect. Because I did not say that sentence as it's</b></p> <p>3 <b>written down or that was portrayed on the BBC.</b></p> <p>4 Q. Are you serious about that, Mr Murphy?</p> <p>5 <b>A. The guys that were investigating agreed with me in the</b></p> <p>6 <b>interrogation.</b></p> <p>7 Q. Sorry, who agreed with you?</p> <p>8 <b>A. The gentlemen that were interviewing me for G4S agreed</b></p> <p>9 <b>with me in the interview, or interrogation, that it was</b></p> <p>10 <b>edited. You can clearly see it when the footage is run.</b></p> <p>11 Q. We are going to run it so that the chair can make up her</p> <p>12 own mind as to whether it's clearly edited.</p> <p>13 <b>A. Well, I know for a fact it was edited.</b></p> <p>14 Q. I'm sure you want to say that.</p> <p>15 <b>A. No, it's not I want to. It's a fact.</b></p> <p>16 Q. All right. We will see about that.</p> <p>17 <b>A. Thank you.</b></p> <p>18 Q. In your first witness statement -- please listen to me.</p> <p>19 In your first witness statement at paragraph 18(a), what</p> <p>20 you say is that you had spent time explaining the</p> <p>21 dangers of taking spice, yet they continued to do so;</p> <p>22 yes?</p> <p>23 <b>A. 18 ...? Sorry?</b></p> <p>24 Q. 18(a).</p> <p>25 <b>A. I've only got 18. I haven't got 18(a).</b></p> <p style="text-align: center;">Page 80</p>

<p>1 Q. It may be your second witness statement?</p> <p>2 <b>A. Is that annex A or B?</b></p> <p>3 Q. Wait a sec.</p> <p>4 <b>A. It's B.</b></p> <p>5 Q. It's the second statement, not the first.</p> <p>6 <b>A. I do indeed, yes.</b></p> <p>7 Q. This is what you said:</p> <p>8 "The fact that I had no sympathy for detainees is</p> <p>9 that I spent lots of time explaining the dangers of</p> <p>10 taking spice to detainees and yet they continued to take</p> <p>11 it. It's similar to a parent educating their child not</p> <p>12 to touch something dangerous and they continue to do so.</p> <p>13 I am shown to quote a line from a movie which was said</p> <p>14 in jest as a coping mechanism for dealing with the</p> <p>15 situation. It's clear that my voice changes when I make</p> <p>16 the movie quote, and it's clear that the footage has</p> <p>17 been edited for dramatic effect. It's not my attitude</p> <p>18 towards detained persons. I'm the only one in the</p> <p>19 footage who asked the detainee several times if he's</p> <p>20 okay and I put him in the recovery position."</p> <p>21 So you're clear, and you have repeated it to us now,</p> <p>22 Mr Murphy, that it's a fact that the BBC edited it for</p> <p>23 dramatic effect; yes?</p> <p>24 <b>A. Yes.</b></p> <p>25 Q. And you rely on, as I understand it, what you say the</p> <p style="text-align: center;">Page 81</p>	<p>1 <b>A. Yes. I beg your pardon, yes.</b></p> <p>2 Q. That's what you are saying, "If he dies, he dies", comes</p> <p>3 from one of the Rocky movies in which one of the lead</p> <p>4 actors made the comment. You went on to say that you</p> <p>5 said it in an accent attempting to imitate the actor</p> <p>6 and, on reviewing the CCTV footage with Mr Murphy, there</p> <p>7 would appear to be a slight deviation in your accent as</p> <p>8 you made the comment:</p> <p>9 "Murphy admits he has no sympathy for detainees who</p> <p>10 take illicit drugs such as spice and suffer an attack.</p> <p>11 He said that's their choice."</p> <p>12 When challenged about the comment, you said you did</p> <p>13 care for detainees in general but had no sympathy for</p> <p>14 them when they took drugs, but this didn't mean you</p> <p>15 didn't act in a professional manner. You didn't want</p> <p>16 anyone to die.</p> <p>17 Over the page, you accepted, acknowledged, that your</p> <p>18 comments as shown in the documentary were unacceptable.</p> <p>19 The comment listed in the second allegation not shown in</p> <p>20 the programme, "Look at the state of that ... imagine</p> <p>21 bringing that home to mother", you denied saying it. Do</p> <p>22 you accept saying that now, "Imagine bringing that home</p> <p>23 to mother"?</p> <p>24 <b>A. I can't remember saying it, but if it's there, I must</b></p> <p>25 <b>have said it. I'm not admitting or denying.</b></p> <p style="text-align: center;">Page 83</p>
<p>1 G4S investigator said as supporting your contention?</p> <p>2 <b>A. They verbally agreed with me when we watched it. We</b></p> <p>3 <b>watched it several times on the big screen at the</b></p> <p>4 <b>interview and you can see the light change and you can</b></p> <p>5 <b>clearly hear my voice changes. It's just -- yeah, it</b></p> <p>6 <b>was dramatised for effect, yes.</b></p> <p>7 Q. You don't think this is all a bit desperate, do you?</p> <p>8 <b>A. Absolutely not. Your words, not mine.</b></p> <p>9 Q. They are my words and I'm asking you whether you think</p> <p>10 this is all just a bit desperate?</p> <p>11 <b>A. Well, I refuse to answer that question because it's not</b></p> <p>12 <b>really a question. I totally disagree with it, yes.</b></p> <p>13 Q. Let's just, before we look at the footage, go to</p> <p>14 a document we looked at earlier. Chair, tab 5 for you,</p> <p>15 &lt;CJS005928&gt; at page 4. This is the allegation on</p> <p>16 14 June:</p> <p>17 "... imagine bringing that home to mother.</p> <p>18 Absolutely no sympathy for them at all. If he dies, he</p> <p>19 dies."</p> <p>20 Then you say a little further down. This is what</p> <p>21 you told G4S in the interrogation, as you put it:</p> <p>22 "With regard to the comment 'If he dies, he dies',</p> <p>23 you explain that that's -- whilst you said this, you</p> <p>24 were referring to a Rocky movie in which Dolph Lundgren,</p> <p>25 the actor, made that comment; is that right?</p> <p style="text-align: center;">Page 82</p>	<p>1 Q. You say that G4S backed you up, the investigator, after</p> <p>2 their interrogation --</p> <p>3 <b>A. I said verbally they backed me up, which they did.</b></p> <p>4 Q. But you will agree that all they say here on page 4</p> <p>5 about what you claimed was a change in the course of</p> <p>6 the footage is it was a slight deviation in accent.</p> <p>7 There is no suggestion in this document, is there, that</p> <p>8 G4S supported your view, Mr Murphy, that the BBC had</p> <p>9 edited it for dramatic effect?</p> <p>10 <b>A. Verbally, they did.</b></p> <p>11 Q. Verbally, they did?</p> <p>12 <b>A. Yes.</b></p> <p>13 Q. But in writing, they declined to?</p> <p>14 <b>A. As I say, again, verbally they did.</b></p> <p>15 Q. Let's look at the footage so others can make up their</p> <p>16 own mind. The footage is KENCOV1035. It is</p> <p>17 V2017061400015. I would like to start -- we can go back</p> <p>18 and forth, if you wish, Mr Murphy. It starts at</p> <p>19 00:16:20.</p> <p>20 (Video played)</p> <p>21 MR ALTMAN: Let's just stop there. Can we just go back to</p> <p>22 16:20, please.</p> <p>23 (Video played)</p> <p>24 MR ALTMAN: Pause and stop. So, Mr Murphy, looking at that,</p> <p>25 you're telling us, first of all, "If he dies, he dies",</p> <p style="text-align: center;">Page 84</p>

<p>1 apart from dropping your voice a bit, that's a different</p> <p>2 accent?</p> <p>3 <b>A. Well, it's meant to be. I'm not a very good</b></p> <p>4 <b>impressionist. I never said I was.</b></p> <p>5 Q. No, clearly not.</p> <p>6 <b>A. Please, don't speak to me like that. It's not really</b></p> <p>7 <b>fair in speaking to me like that, is it?</b></p> <p>8 THE CHAIR: Mr Murphy, all Mr Altman is attempting to do is</p> <p>9 to take your evidence.</p> <p>10 <b>A. I know, but you're being very condescending. That's not</b></p> <p>11 <b>very fair, is it?</b></p> <p>12 MR ALTMAN: Mr Murphy, can you please limit yourself to</p> <p>13 answering --</p> <p>14 <b>A. I'm allowed to stand up for myself, sir. That's what</b></p> <p>15 <b>I'm saying to you.</b></p> <p>16 Q. You're not here to stand up for yourself. You're here</p> <p>17 to answer questions. All I'm asking you is whether you</p> <p>18 are saying that, in what we have just listened to, the</p> <p>19 words "he dies, he dies" were said as mimicry of</p> <p>20 Dolph Lundgren in one of the Rocky films or whether you</p> <p>21 were just using your voice by dropping it a bit because</p> <p>22 you were being serious?</p> <p>23 <b>A. I wasn't being serious.</b></p> <p>24 Q. Where do you say, for dramatic effect, the BBC edited</p> <p>25 this footage?</p> <p style="text-align: center;">Page 85</p>	<p>1 sentiment that goes with the words which are uttered?</p> <p>2 <b>A. When I said it -- well, it wasn't very nice. It was</b></p> <p>3 <b>horrible and I shouldn't have said it and it wasn't very</b></p> <p>4 <b>professional and I do apologise for it.</b></p> <p>5 Q. It sounds callous, doesn't it?</p> <p>6 <b>A. It just doesn't sound very professional. Yes, it did,</b></p> <p>7 <b>I agree.</b></p> <p>8 Q. Was it coincidence or culture that not just you, but</p> <p>9 others, used words identical to that?</p> <p>10 <b>A. Well, I can't speak for them. It just wasn't a very</b></p> <p>11 <b>pleasant -- it wasn't very professional the way I said</b></p> <p>12 <b>it.</b></p> <p>13 Q. Let me then ask you, please, about something else.</p> <p>14 I want to ask you about another detainee altogether,</p> <p>15 D523. Now, D523 has made a witness statement to the</p> <p>16 inquiry. Chair, it is tab 27. It relates to events</p> <p>17 which he says took place on and after 14 April 2017. By</p> <p>18 way of background, Mr Murphy, this detainee had been on</p> <p>19 an ACDT for some time. Perhaps before we go to his</p> <p>20 witness statement, let's just look at this care and</p> <p>21 separation form, please. It's &lt;CJS001655&gt;. Chair, it's</p> <p>22 tab 26. So we can see that's the front cover of</p> <p>23 the DCF1. He was on rule 40. We can see at the top,</p> <p>24 "Date located into rule 40", 14 April, in the evening.</p> <p>25 He was finally removed from it on the 17th. If then we</p> <p style="text-align: center;">Page 87</p>
<p>1 <b>A. You can see the light changes in the background.</b></p> <p>2 Q. How was the timestamp interfered with?</p> <p>3 <b>A. I don't know. I didn't see it.</b></p> <p>4 Q. Because this is digital, it's not analogue.</p> <p>5 <b>A. I didn't see it.</b></p> <p>6 Q. But you're clear in your mind --</p> <p>7 <b>A. Yes.</b></p> <p>8 Q. -- that this has been interfered with to make you look</p> <p>9 bad?</p> <p>10 <b>A. If it had have happened in the one conversation, I'd say</b></p> <p>11 <b>it did, but I know for a fact it didn't.</b></p> <p>12 Q. "If he dies, he dies" is something we have heard others</p> <p>13 use.</p> <p>14 <b>A. Well, I use it -- I used it there, and I apologise, and</b></p> <p>15 <b>it's a horrible thing to say and I wouldn't wish anybody</b></p> <p>16 <b>dead. It wasn't very nice.</b></p> <p>17 Q. You see, two weeks before this event, on 27 May, another</p> <p>18 officer, Dave Webb -- does that name mean something to</p> <p>19 you, Dave Webb?</p> <p>20 <b>A. Yes.</b></p> <p>21 Q. On 27 May, while preparing for a use of force on D1914,</p> <p>22 he said exactly the same, "If he dies, he dies", and</p> <p>23 whether or not, do you agree, he, like you, was trying</p> <p>24 to mimic four words from an actor's script in a Rocky</p> <p>25 movie, it doesn't really matter, does it? It's the</p> <p style="text-align: center;">Page 86</p>	<p>1 move on to page 2, just by way of background:</p> <p>2 "Reasons for removal from association."</p> <p>3 I'm not sure this is an ACDT, actually, but a care</p> <p>4 and separation form:</p> <p>5 "Detainee 523 has been placed onto rule 40 after</p> <p>6 a protest on D wing yard."</p> <p>7 Is this what you were talking about earlier, the</p> <p>8 protest?</p> <p>9 <b>A. I can't remember this. If you go on and it is -- at the</b></p> <p>10 <b>minute, I can't tell.</b></p> <p>11 Q. "He incited other detainees and charged at staff when</p> <p>12 they were trying to help a detainee who was having</p> <p>13 medical problems at the time."</p> <p>14 <b>A. This sounds like the same one, yes.</b></p> <p>15 Q. So that was 14 April. On the next page, page 3, a 24 --</p> <p>16 presumably, hour -- extension was organised for the</p> <p>17 safety and security of the centre. I'd like to go,</p> <p>18 please, first to page 7. It is difficult to read, but</p> <p>19 if we look maybe six entries down, can we see your name</p> <p>20 in the "Name position" column, "DCO Murphy",</p> <p>21 "DCO Murphy" twice?</p> <p>22 <b>A. It appears to be there, yes.</b></p> <p>23 Q. So it looks to be on 15 April twice. Is it 12.20 and</p> <p>24 17:20? You were involved in dealing with him on E wing,</p> <p>25 presumably:</p> <p style="text-align: center;">Page 88</p>

<p>1 "Lunch given."  2 And then:  3 "Dinner given."  4 <b>A. It looks like it, yes.</b>  5 Q. Then, again, insofar as I have been able to read this  6 document, although some of it is difficult, we go,  7 please, to page 14, this time 16 April. Again, 12:20,  8 "Lunch given", 17:20, "Dinner given". Two entries in  9 your name. Then if we skate over two other entries,  10 there is a third, I think, on the 16th, at 20:55, which  11 seems to have your name by it --  12 <b>A. It appears --</b>  13 Q. -- yes?  14 <b>A. It appears to be mine, yes.</b>  15 Q. Which suggests, therefore, Mr Murphy, that, at least  16 during those times, you were on duty on E wing and  17 dealing with him on the 15th and the 16th. If you can't  18 remember, would you know, as a matter of generality, if  19 you were giving him lunch and giving him dinner, for  20 example, on the same day, does that mean you were on  21 duty and your shift took you into E wing the whole day?  22 <b>A. It depends on what was going on on the site -- in the</b>  23 <b>estate.</b>  24 Q. So you could have come off E wing and gone back on  25 E wing?</p> <p style="text-align: right;">Page 89</p>	<p>1 accept about what happened. Then, at the top of  2 the next page, paragraph 42:  3 "I understand from the disclosure from the inquiry  4 that on Saturday, 15 April, my stay in the CSU was  5 extended for a further 24 hours until Sunday, 16 April  6 ..."  7 We saw that in the document:  8 "... followed by a further extension of 24 hours to  9 Monday, 17 April. I understand from my solicitors that  10 it is unclear if my rule 40 was properly authorised by  11 the Home Office beyond that initial 24-hour extension as  12 no Home Office official has signed the paperwork."  13 Then he goes through a series of entries in the  14 record sheet. Then paragraph 43, please, on page 16:  15 "I clearly recall my time spent in the CSU following  16 the protest and note the following. After arriving to  17 the CSU, myself and the others in the CSU telephoned the  18 police again two or three times. The police told us  19 they would look into it for us. I'm not sure what, if  20 anything, happened. To that, I remember Brook House  21 officers being upset that we had telephoned the police."  22 Did you know anything about that, Mr Murphy, this  23 man or others complaining to the police?  24 <b>A. No I can't recall.</b>  25 Q. What he said earlier, just to put it in context, is:</p> <p style="text-align: right;">Page 91</p>
<p>1 <b>A. Yes.</b>  2 Q. So, with that in mind, let's just look at what he has to  3 say. So back, chair, to tab 27, &lt;DL0000232&gt;. Can we  4 begin, please, on page 13. His statement is divided up  5 into periods of time.  6 This, you can see, is 14 to 17 April:  7 "I attended a protest in the D wing courtyard and  8 I was removed from association under rule 40.  9 I understand from the disclosure from the inquiry that  10 this was at 20:30 on Friday, 14 April."  11 Then he talks about use of force at paragraph 40:  12 "I also understand from the disclosure from the  13 inquiry that, following the use of force, I was  14 reportedly seen by healthcare in the CSU."  15 Then, at 41, he says:  16 "I clearly recall the events of that evening."  17 Just by way of introduction:  18 "The main instigator of the protest was another  19 detainee man who wore glasses. All of us detainees  20 agreed to participate in the process by standing in  21 D wing courtyard refusing to go inside at lock-up  22 because we were upset and believed the officers were  23 treating us badly."  24 I'm not going to read the rest of that page. But he  25 sets out his complaint and what he accepts and doesn't</p> <p style="text-align: right;">Page 90</p>	<p>1 "During the protest, myself and many other detainees  2 telephoned the police because we believed we were being  3 treated unfairly and without human rights."  4 And so it was a protest. Then subparagraph (b):  5 "I do not accept that after I arrived in the CSU  6 I made threats. I had no idea what a memorial poppy  7 meant ..."  8 So this is more about allegations which he  9 understood were being made:  10 "(c) on the morning after the protest (which  11 I understand from my records to be Saturday, 15 April)  12 I remember being let out of my cell in the CSU to have  13 a shower and when I returned my mobile phone was  14 missing. I got riled up and asked the officers to give  15 me my phone. I remember being told the main block  16 officer, Derek Murphy, knows where it is and that  17 I would have to wait for him. I remember Derek Murphy  18 being Irish, tall, overweight, bald with a white beard  19 and white-framed glasses."  20 Did you know anything about his phone, Mr Murphy?  21 <b>A. No.</b>  22 Q. "I believe my mobile phone was taken from me because the  23 officers were upset that I telephoned the police and  24 I believe they were punishing me for doing so and making  25 sure I didn't make any further calls to the police."</p> <p style="text-align: right;">Page 92</p>

<p>1 I recall constantly asking the other officers for my</p> <p>2 phone and they kept saying that I would have to ask the</p> <p>3 block officer, Derek Murphy. This was extremely</p> <p>4 distressing as it was my only way to contact anyone,</p> <p>5 including my legal representative. It made my time in</p> <p>6 CSU feel even more isolating and I was also not able to</p> <p>7 get legal advice on my situation."</p> <p>8 Were you continually asked by this man for his</p> <p>9 phone, Mr Murphy?</p> <p>10 <b>A. I can't recall.</b></p> <p>11 Q. What, you --</p> <p>12 <b>A. I can't recall.</b></p> <p>13 Q. One way or the other?</p> <p>14 <b>A. I honestly can't recall that event.</b></p> <p>15 Q. So you can't say one way or the other whether he asked</p> <p>16 you for his phone back?</p> <p>17 <b>A. From my memory, when a detainee was put in CSU on</b></p> <p>18 <b>a rule 40, they weren't allowed anything in the room.</b></p> <p>19 Q. You --</p> <p>20 <b>A. But I can't -- I can't -- I honestly -- that doesn't</b></p> <p>21 <b>ring any bells to me at all.</b></p> <p>22 Q. Then he deals with being told that they were going to</p> <p>23 transfer him to Colnbrook. At paragraph (g):</p> <p>24 "I recall that while I was in the CSU, I was forced</p> <p>25 to spend a lot of time with Derek Murphy and we had lots</p> <p style="text-align: center;">Page 93</p>	<p>1 as this man is concerned?</p> <p>2 <b>A. I cannot recall that. I would never do that.</b></p> <p>3 Q. Never, for example, say that you're going to "smash the</p> <p>4 fucking shit" out of someone or anything like that?</p> <p>5 <b>A. This -- I don't recall that, and I would never say that.</b></p> <p>6 Q. Thank you.</p> <p>7 <b>A. I would never threaten to kill anybody.</b></p> <p>8 Q. No, no-one is suggesting you would, but --</p> <p>9 <b>A. That's what it's saying there.</b></p> <p>10 Q. No, he threatened. He says you threatened to?</p> <p>11 <b>A. I didn't.</b></p> <p>12 Q. He says --</p> <p>13 <b>A. I would not threaten to kill anybody.</b></p> <p>14 Q. But you agree that some of the words we have looked at</p> <p>15 in the past constituted threats, don't you? Threats to</p> <p>16 assault?</p> <p>17 <b>A. I beg your pardon?</b></p> <p>18 Q. You agree that some of the words that we saw you utter</p> <p>19 on other occasions amounted to threats to assault</p> <p>20 people?</p> <p>21 <b>A. But not directly to them. But yes, I agree.</b></p> <p>22 Q. Then on the next page, he said one of the main reasons</p> <p>23 why he was upset and distressed and swearing and banging</p> <p>24 on his door was because his mobile phone had been taken</p> <p>25 from him and "This was my only way to contact the</p> <p style="text-align: center;">Page 95</p>
<p>1 of arguments. I also remember that, whenever I would be</p> <p>2 clearly upset at being locked in the room, Derek would</p> <p>3 make faces at me, sticking his tongue out, chanting</p> <p>4 ha ha and whistling at me and laughing at me. This made</p> <p>5 me feel even more frustrated and upset and like he was</p> <p>6 getting pleasure from my distress."</p> <p>7 What do you say about that?</p> <p>8 <b>A. I don't recall that, but that would never happen on my</b></p> <p>9 <b>shift -- when I was on duty. Because our job there was</b></p> <p>10 <b>to de-escalate -- to get -- to de-escalate and get them</b></p> <p>11 <b>out of the CSU as quickly as possible.</b></p> <p>12 Q. "At some point, I'm not sure if it was that day or the</p> <p>13 following, Sunday, 16 April, I recall banging the door,</p> <p>14 calling out to the officers to return my phone. I then</p> <p>15 remember Derek Murphy coming into my cell, putting his</p> <p>16 gloves on, grabbing me by the neck and saying he was</p> <p>17 going to kill me. I felt shocked and scared as I could</p> <p>18 not believe that an officer would do that to me.</p> <p>19 I wanted to complain but I thought no-one would ever</p> <p>20 believe me. To this day, the incident is still with me</p> <p>21 and I have flashbacks and sometimes I wake up and feel</p> <p>22 like someone is holding my throat and chest."</p> <p>23 A serious allegation there, Mr Murphy, that you</p> <p>24 grabbed this man by the neck and threatened to kill him.</p> <p>25 Anything that you would do, Mr Murphy, or did do, as far</p> <p style="text-align: center;">Page 94</p>	<p>1 outside world" at the top of 18 "and also because</p> <p>2 I really hated being in the CSU, especially with</p> <p>3 Derek Murphy as the main officer. I felt trapped,</p> <p>4 isolated and anxious. On the 17th, I was taken from the</p> <p>5 CSU to E wing. Before being taken to E wing, I remember</p> <p>6 Derek Murphy gave me my mobile phone and said, 'Sorry,</p> <p>7 I left your phone in my uniform and took it home by</p> <p>8 mistake'."</p> <p>9 Does that ring any bells with you?</p> <p>10 <b>A. Absolutely not, no. I can't recall. I would never --</b></p> <p>11 <b>I always make sure I've nothing in my pockets when</b></p> <p>12 <b>leaving work, because we weren't allowed any mobile</b></p> <p>13 <b>phones in.</b></p> <p>14 Q. Then, at letters (k) and (l), he says what he did and</p> <p>15 didn't do about these matters. So, as far as you're</p> <p>16 concerned, Mr Murphy, you don't remember any of this or</p> <p>17 have any distinct recollection of this, but what you're</p> <p>18 telling us you would not have done is made any threat to</p> <p>19 kill him --</p> <p>20 <b>A. Absolutely not.</b></p> <p>21 Q. -- or taken him by the scruff of the neck?</p> <p>22 <b>A. No.</b></p> <p>23 Q. Let's look at something else, please, in relation to</p> <p>24 another individual, D1251, a use of force on 4 May.</p> <p>25 Let's just look, please, at something Callum Tully had</p> <p style="text-align: center;">Page 96</p>



1 to say about this in a video diary. It's <TRN0000045>.  
 2 Chair, tab 48 --  
 3 THE CHAIR: Thank you.  
 4 MR ALTMAN: -- at page 3. At the top this, is Callum Tulley  
 5 being debriefed by the BBC at the end of a day:  
 6 "Derek was basically bragging about how he stopped  
 7 a detainee from swallowing a razor blade. And he  
 8 essentially said that he went into the cell, gave him an  
 9 upper cut to the throat so he basically coughed the  
 10 razor blades right out and he took great pleasure in  
 11 telling this to the whole office and found it quite  
 12 funny and so did quite a lot of the members of staff."  
 13 Did you ever physically punch any detainee  
 14 throughout the whole time you were there?  
 15 **A. No.**  
 16 Q. Ever upper cut anybody?  
 17 **A. Absolutely not, no.**  
 18 Q. Ever upper cut anybody who said that he was swallowing  
 19 or had razorblades in his mouth in order to get them out  
 20 of his mouth?  
 21 **A. No.**  
 22 Q. So this is a complete fiction, but do you remember  
 23 telling Callum Tulley this?  
 24 **A. I told you -- the inquiry already, I used to tell Callum**  
 25 **a load of stories, excuse my language, a load of**

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1 **bullshit stories, because he fed off it and that's what**  
 2 **I gave him.**  
 3 Q. This was one of the allegations, you will remember, we  
 4 don't perhaps have the time to go back to it, but in  
 5 that G4S investigation report it was one of the several  
 6 allegations made about you, and it was as a result of  
 7 what you had told Callum Tulley, and you denied making  
 8 the comment, I think, and the action alleged when you  
 9 spoke to G4S?  
 10 **A. Yep. As I say, there's that many stories that I told**  
 11 **Callum Tulley, I can't really -- I don't know. I can't**  
 12 **remember what ones we told him.**  
 13 Q. Let's look at a transcript we looked at several times  
 14 already, please. Chair, tab 51. <TRN0000095> at  
 15 page 32. This is Dan Small, and I asked you about this  
 16 earlier, but, putting it in context of what  
 17 Callum Tulley was saying to the BBC. Do you remember  
 18 I showed you this earlier, Small and Lake on B wing?  
 19 **A. Yes, I do.**  
 20 Q. "Geezer bit his hand ... wrapped him up in the office?  
 21 The geezer bit Derek's hand and then he bent over and  
 22 Derek upper-cutted him and cracked him straight in the  
 23 jaw ... lip was all over the place."  
 24 Of course, there is nothing here about any razor  
 25 blades, but, again, if it is not the same incident, it

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1 is an incident where Small and Lake are talking to each  
 2 other and Dan Lake remembers an incident, so this isn't  
 3 you telling tall stories, this is they talking about  
 4 you, where someone bit your hand and you upper-cutted  
 5 him, cracked him straight in the jaw. Now, were they  
 6 just making this up, the pair of them, or did that  
 7 happen?  
 8 **A. I can't speak for them.**  
 9 Q. Well, did that happen, Mr Murphy?  
 10 **A. No, it didn't happen, no.**  
 11 Q. In his evidence yesterday, I think it was, Dan Small  
 12 talking of events on 13 May, said that he thought he'd  
 13 been referring to you. He was asked about this by  
 14 Mr Livingston on behalf of the inquiry. That he thought  
 15 he'd been referring to you, but he couldn't remember the  
 16 incident. But when he was pressed on it, he said that,  
 17 effectively, what he was saying was accurate, or what  
 18 was being said here was accurate, that he saw everything  
 19 and that you had cracked this man in the jaw. It was  
 20 Lake, forgive me, not Dan Small. Dan Lake was saying in  
 21 his evidence that he thought he'd been referring to you,  
 22 he couldn't particularly remember it, but that he said  
 23 he saw everything and that you had upper-cutted this man  
 24 and cracked him in the jaw. So we have evidence from  
 25 another erstwhile colleague of yours who said, as far as

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1 he recalled it, it happened. He was telling the truth.  
 2 **A. How was he telling the truth when he said he "thought"**  
 3 **it was, he "thought"? So that did not happen.**  
 4 Q. Can we look at the footage. There was some body-worn  
 5 footage of a particular incident which involved a man  
 6 whom use of force was used on, on 4 May, and it relates  
 7 to D1251. Chair, because this footage has not been  
 8 redacted, I am going to have to ask for it to be shown  
 9 in closed session, so it will require the public gallery  
 10 to be closed, but it will only last a couple of moments.  
 11 IN CLOSED SESSION  
 12 MR ALTMAN: Disk 39, UOF 113.17 BWC. It's body worn footage  
 13 not being worn by you, Mr Murphy, but by somebody else.  
 14 (Video played)  
 15 MR ALTMAN: Pausing there, I think you're on the left here,  
 16 Mr Murphy, and you've got the man's head and you're  
 17 holding it down; yes? Can you see?  
 18 **A. I can see. I can't see --**  
 19 Q. Let's just carry on.  
 20 **A. Have a look at it, yes.**  
 21 Q. Carry on.  
 22 (Video played)  
 23 MR ALTMAN: Thank you, that's fine. So that gives you  
 24 a flavour of the body worn footage, which only begins at  
 25 the point, as we can see, when you have the man in

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25 (Pages 97 to 100)

1 a head hold and others are obviously involved with him.  
 2 We need to go back into open session, chair, sorry.  
 3 IN OPEN SESSION  
 4 MR ALTMAN: Just wait a few moments, Mr Murphy. While we do  
 5 it, can we put up on screen <CJS005928>, please, at  
 6 page 2. This is the investigation report, and you will  
 7 see allegation 1 was on 8 May. You have said that,  
 8 while on a shift the previous week, you had chopped with  
 9 your open hand or punched a detainee on E wing under the  
 10 chin causing him to spit out a razor blade which the  
 11 detainee had concealed in his mouth. That was  
 12 Callum Tulley's allegation in the video diary, the video  
 13 diary date, which I showed you a little earlier, was  
 14 8 May, and the footage I have just shown you is 4 May in  
 15 relation to D1251. What I'm asking you is whether,  
 16 during that use of force, but before the body-worn  
 17 camera was switched on, that was the man that you  
 18 struck?  
 19 **A. I didn't strike any man.**  
 20 Q. So that never happened. That didn't happen?  
 21 **A. You just accused me of striking a man. I did not strike**  
 22 **a man.**  
 23 Q. So that we are clear, did you say those words to  
 24 Callum Tulley --  
 25 **A. I can't remember saying that to Callum Tulley.**

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1 Q. You don't remember saying that either?  
 2 **A. You just said there -- and that should be struck off.**  
 3 **You just said "Is that the man you struck?"**  
 4 Q. Yes.  
 5 **A. I didn't strike any man.**  
 6 Q. You didn't strike anyone.  
 7 **A. But you said I did.**  
 8 Q. Well, this is -- these are the words --  
 9 **A. They were your words.**  
 10 Q. Mr Murphy, wait.  
 11 **A. No, they were your words.**  
 12 Q. Yes, I know.  
 13 **A. You spoke and said --**  
 14 Q. I am asking you a question.  
 15 **A. -- "Is that the man you struck?"**  
 16 Q. Yes. I'm asking you a question.  
 17 **A. Yes, you said --**  
 18 Q. I will ask it again.  
 19 **A. -- "Is that the man you struck?"**  
 20 Q. Yes, because Callum -- listen to me, because Callum --  
 21 **A. No, "Is that the man you allegedly -- you allegedly**  
 22 **struck?" That's the way I would have put it.**  
 23 Q. Mr Murphy, we both know what we're talking about here.  
 24 **A. No, we do, but the public don't.**  
 25 Q. All right.

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1 **A. I'm just pointing it out, that's all.**  
 2 Q. Thank you.  
 3 **A. You're welcome.**  
 4 Q. Callum Tulley, on 8 May --  
 5 **A. So, no, I did not strike that man.**  
 6 Q. Callum Tulley, on 8 May, told the BBC that you had  
 7 bragged to him and others that you had struck a man in  
 8 order to loosen or release from his mouth a razor blade.  
 9 **A. Yes.**  
 10 Q. That was the evidence, they were your words?  
 11 **A. But you said to me there now, "Is that the gentleman you**  
 12 **struck?"**  
 13 Q. Yes.  
 14 **A. There is no -- there is nothing to say I struck that**  
 15 **gentleman, only Callum Tulley's word.**  
 16 Q. Well, it's your word.  
 17 **A. I'm telling you I didn't strike him.**  
 18 Q. Fine. So that's the difference between us.  
 19 **A. But you said I did.**  
 20 Q. I'm asking you.  
 21 **A. No, I know you're asking. But you just -- I'm just**  
 22 **pointing out to you that you said, "Is that the**  
 23 **gentleman you struck?"**  
 24 Q. I'm asking you, and you say --  
 25 **A. But there is no evidence to say I struck anybody.**

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1 Q. Well, the evidence --  
 2 **A. So when it comes to the public --**  
 3 Q. Mr Murphy, the evidence is from your own mouth,  
 4 according to Callum Tulley.  
 5 **A. But that's what Callum Tulley says.**  
 6 Q. Yes.  
 7 **A. I do not now remember saying that.**  
 8 Q. No, and people often --  
 9 **A. So it's "allegedly said".**  
 10 Q. But, Mr Murphy, people often give evidence --  
 11 **A. That's "allegedly said".**  
 12 Q. -- of what others say they said to them.  
 13 **A. Yeah, but I'm allowed to point out what I think --**  
 14 Q. Well, you have made your point very well.  
 15 **A. -- and thank you very much for letting me do that.**  
 16 **I appreciate it.**  
 17 Q. You have made your point.  
 18 **A. Thank you.**  
 19 Q. So your case is that you didn't punch anybody?  
 20 **A. That's correct.**  
 21 Q. Right?  
 22 **A. That's correct.**  
 23 Q. And so that we are clear, after you've left us, about  
 24 what you are telling us, did you say what Callum Tulley  
 25 says you said?

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26 (Pages 101 to 104)

<p>1 <b>A. I do not recall saying that to Callum Tulley.</b></p> <p>2 Q. No. Do you recognise the conversation that Dan Small</p> <p>3 had with Dan Lake?</p> <p>4 <b>A. No, I do not.</b></p> <p>5 Q. You don't recognise that either?</p> <p>6 <b>A. No.</b></p> <p>7 Q. So that we are clear, on no occasion have you ever laid</p> <p>8 hands, other than during a control and restraint, on any</p> <p>9 detainee?</p> <p>10 <b>A. To my recollection, yes.</b></p> <p>11 Q. Well, by which I mean, have you ever punched anyone,</p> <p>12 slapped anyone, chopped anyone?</p> <p>13 <b>A. No.</b></p> <p>14 Q. Ever, taken them by the scruff of the neck?</p> <p>15 <b>A. No.</b></p> <p>16 Q. "Fucking smashed the shit" out of them, or done anything</p> <p>17 like that, threatened to kill them?</p> <p>18 <b>A. I didn't --</b></p> <p>19 Q. No?</p> <p>20 <b>A. I didn't smash the shit out of -- excuse my language.</b></p> <p>21 <b>I didn't "smash the fucking shit" out of anybody, as you</b></p> <p>22 <b>say. I said those words.</b></p> <p>23 Q. Yes.</p> <p>24 <b>A. I said those words.</b></p> <p>25 Q. Yes.</p> <p style="text-align: center;">Page 105</p>	<p>1 witnessed the incident. After the incident, Derek</p> <p>2 allegedly went to D2953's room and shook his hand by way</p> <p>3 of an apology."</p> <p>4 Do you recognise any of that?</p> <p>5 <b>A. No.</b></p> <p>6 Q. You've heard it before, presumably? You've heard the</p> <p>7 allegations before?</p> <p>8 <b>A. No, I didn't hear the allegation before.</b></p> <p>9 Q. This is all new to you?</p> <p>10 <b>A. I didn't hear that allegation before.</b></p> <p>11 Q. Are you saying this is all brand new?</p> <p>12 <b>A. I did not hear that allegation before.</b></p> <p>13 Q. What does that mean?</p> <p>14 <b>A. I didn't hear it. I never heard it before.</b></p> <p>15 Q. I'm asking you, Mr Murphy, is this the first time that</p> <p>16 you have ever heard that anybody alleged --</p> <p>17 <b>A. I read it in the questions here that you gave me.</b></p> <p>18 Q. So you have heard it before?</p> <p>19 <b>A. I've seen it before, but I've never heard anybody --</b></p> <p>20 <b>no-one -- I was never approached or anything about it,</b></p> <p>21 <b>to my recollection.</b></p> <p>22 Q. Do you remember this being dealt with by the PSU?</p> <p>23 <b>A. No, I do not.</b></p> <p>24 Q. If we go further down into this document, on page 20,</p> <p>25 the same document, page 20, you will see that there was</p> <p style="text-align: center;">Page 107</p>
<p>1 <b>A. And which I apologise for it and I didn't -- I would</b></p> <p>2 <b>never have done that, but I did not smash -- in your</b></p> <p>3 <b>words, "smash the shit" out of anybody.</b></p> <p>4 Q. Well, actually, they're your words, Mr Murphy.</p> <p>5 <b>A. No, they're yours. You said --</b></p> <p>6 Q. -- I'm just repeating them. Can we look at another</p> <p>7 document -- chair, for you, tab 17 -- &lt;CJS001506&gt;. Do</p> <p>8 you remember an allegation by D2953, who said that he</p> <p>9 was assaulted by you on three occasions? It is</p> <p>10 encapsulated in this email. An incident on 10 June 2017</p> <p>11 occurred in the CSU. D2953 said:</p> <p>12 "... an officer by the name of Derek came into the</p> <p>13 room and punched him on the thigh. There was another</p> <p>14 young male officer who was present at the time who was</p> <p>15 stood by the door when Derek entered and allegedly hit</p> <p>16 [him]."</p> <p>17 On the next day, 11 June:</p> <p>18 "... whilst he was in CSU at some point in the day,</p> <p>19 again the same officer, Derek, entered the room and</p> <p>20 punched him on the chest."</p> <p>21 And then on 16 June:</p> <p>22 "... in the staff room on E wing around 11:00 am,</p> <p>23 Derek took him into the staff room and hit him around</p> <p>24 the left side of the head catching his ear. A manager</p> <p>25 with a red tie was present at the time in the office and</p> <p style="text-align: center;">Page 106</p>	<p>1 a Home Office investigation into the circumstances</p> <p>2 surrounding the treatment of D2953, who said he was</p> <p>3 assaulted by you on 10, 11 and 12 June while at</p> <p>4 Brook House. You've seen this document, haven't you,</p> <p>5 Mr --</p> <p>6 <b>A. No, I haven't.</b></p> <p>7 Q. So you've never seen it. Did you not appreciate that</p> <p>8 the PSU had looked into this?</p> <p>9 <b>A. I didn't -- I cannot remember -- I cannot remember it at</b></p> <p>10 <b>all, no.</b></p> <p>11 Q. Look on page 28. Paragraph 6.2 "Summary of acting</p> <p>12 detainee custody manager Derek Murphy's evidence taken</p> <p>13 from his telephone conversation of 13 December 2017".</p> <p>14 Did you forget that?</p> <p>15 <b>A. I cannot recall it. If I recalled it, I would speak</b></p> <p>16 <b>about it.</b></p> <p>17 Q. "Officer Murphy stated the following.</p> <p>18 "He had nothing to answer for. He did not make</p> <p>19 a habit of assaulting detainees. He remembered D2953</p> <p>20 and did his best to reintegrate him on the wings, but</p> <p>21 every time he did, he would get into a fight with his</p> <p>22 roommate and would then end up back on E wing. D2953</p> <p>23 used to bang a lot. He broke a couple of cups/crockery,</p> <p>24 which can be sharp; these were the only times he had</p> <p>25 dealings with him. He could not understand the</p> <p style="text-align: center;">Page 108</p>

27 (Pages 105 to 108)

<p>1 allegations, which could possibly be because sometimes</p> <p>2 they had to say 'no' to D2953. He denied assaulting him</p> <p>3 at any time and wanted to make that clear.</p> <p>4 "D2953 used to walk around the wing saying it was</p> <p>5 his human rights and that he wanted compensation; he</p> <p>6 would do this every day and would annoy other detainees.</p> <p>7 He used to walk around in his boxer shorts, which is not</p> <p>8 a nice sight, particularly with female officers around.</p> <p>9 If they asked D2953 to go into his room he kept saying</p> <p>10 it is his human rights. He arranged for [him] to be</p> <p>11 transferred to a single occupancy centre at the Verne</p> <p>12 but he ended up returning to Brook House."</p> <p>13 So you will agree that you spoke to the PSU about</p> <p>14 this?</p> <p>15 <b>A. By this, I did, but I do not recall that.</b></p> <p>16 Q. And --</p> <p>17 <b>A. If I recalled it, I would speak about it.</b></p> <p>18 Q. On page 32 is the PSU's consideration of evidence and</p> <p>19 conclusions, which included the account given by the</p> <p>20 detained man. There is the allegation at paragraph 7.1,</p> <p>21 and they review all of the evidence, and I'm going to go</p> <p>22 immediately to their conclusion on page 35:</p> <p>23 "Crucially [they say] some of this mistreatment by</p> <p>24 Acting DCM Murphy was around the same time as when D2953</p> <p>25 alleges he was mistreated by Officer Murphy."</p> <p style="text-align: center;">Page 109</p>	<p>1 officer in the library that he had been assaulted; three</p> <p>2 attempts to alert DCM Page as well as healthcare staff</p> <p>3 on 29 June; a note by healthcare on 29 June who recorded</p> <p>4 a [question mark] over injuries prior to that day;</p> <p>5 a further call to the helpline on 29 June in which [he]</p> <p>6 mentioned he had been assaulted as well as; the evidence</p> <p>7 featured in the BBC Panorama programme with regards to</p> <p>8 Acting DCM Murphy's conduct at Brook House ... leads to</p> <p>9 the conclusion that something did happen to D2953 as he</p> <p>10 states.</p> <p>11 "Therefore, on a balance of probabilities, the</p> <p>12 conclusion reached by this investigation is that there</p> <p>13 is substance to [his] allegations. Consequently, the</p> <p>14 allegation is substantiated."</p> <p>15 What's your view about that, Mr Murphy?</p> <p>16 <b>A. I don't recall any of that.</b></p> <p>17 Q. What is it --</p> <p>18 <b>A. I certainly -- hey?</b></p> <p>19 Q. What don't you recall?</p> <p>20 <b>A. I don't recall any of it.</b></p> <p>21 Q. When you say "any of it", what, the actual investigation</p> <p>22 or the facts underlying the investigation?</p> <p>23 <b>A. The facts and the investigation.</b></p> <p>24 Q. Right.</p> <p>25 <b>A. As I told you -- as I stated to the inquiry already, in</b></p> <p style="text-align: center;">Page 111</p>
<p>1 And so there is a whole catalogue of other</p> <p>2 allegations that he made:</p> <p>3 "On a balance of probabilities, it is therefore</p> <p>4 right and proper for this investigation to attach weight</p> <p>5 to the information contained within the BBC Panorama</p> <p>6 programme when assessing D2953's allegations against</p> <p>7 Acting DCM Murphy."</p> <p>8 And so, not only did he make allegations, the PSU</p> <p>9 took into account allegations on the Panorama programme:</p> <p>10 "D2953 also appears to have been let down by</p> <p>11 processes inside Brook House in June 2017 when he</p> <p>12 mentioned he had been assaulted. The allegation should</p> <p>13 have been flagged to, eg, the Home Office Immigration</p> <p>14 Team and Detention Services."</p> <p>15 Over the page:</p> <p>16 "At the very least, D2953 should have been handed</p> <p>17 a complaints form and assistance should have been given</p> <p>18 to him via, eg, the Centre Welfare Officer, given the</p> <p>19 fact that English is not 2953's first language, for him</p> <p>20 to provide full details of the assault.</p> <p>21 "The fact all of these necessary steps were not</p> <p>22 taken back in June when he mentioned he had been</p> <p>23 assaulted when balanced against the rest of the evidence</p> <p>24 which includes [his] call to the EASS helpline ... on</p> <p>25 16 June; the fact he mentioned, on 20 June, to the</p> <p style="text-align: center;">Page 110</p>	<p>1 <b>the last five or six years, I've been using a lot of</b></p> <p>2 <b>alcohol and prescribed drugs to get over my PTSD and my</b></p> <p>3 <b>anxiety over a lot of stuff, including this.</b></p> <p>4 Q. Yes.</p> <p>5 <b>A. This seems to be -- you didn't seem to hear it at all.</b></p> <p>6 <b>I just -- yeah.</b></p> <p>7 Q. The final topic, please, chair, if you allow me to</p> <p>8 finish it, and so we can allow Mr Murphy to go, relates</p> <p>9 to an alleged incident in spring, in the spring of 2017.</p> <p>10 Owen Syred -- do you remember him?</p> <p>11 <b>A. Vaguely. He was a welfare officer, I think.</b></p> <p>12 Q. Yes. Did you watch him give evidence in the first phase</p> <p>13 of this inquiry?</p> <p>14 <b>A. No.</b></p> <p>15 Q. If we go, chair, to tab 35, &lt;INN000007&gt; at page 39.</p> <p>16 This was his first statement. If we go to page 39,</p> <p>17 please. This is what he had to say:</p> <p>18 "... in approximately spring 2017, a detainee was</p> <p>19 rude to a female colleague and I advised him that his</p> <p>20 behaviour was unacceptable. The detainee punched me and</p> <p>21 I suffered a glancing blow. The first response team was</p> <p>22 called. However, by the time the team arrived, the</p> <p>23 detainee was already restrained. My colleague,</p> <p>24 Derek Murphy, was the first in and he punched the</p> <p>25 detainee while he was restrained. I managed to pull</p> <p style="text-align: center;">Page 112</p>

<p>1 Derek away and I spoke to him afterwards and told him</p> <p>2 I was shocked at his behaviour and if I saw him do</p> <p>3 anything like that again I would report it. Derek</p> <p>4 accepted that he had lost it. Since this incident,</p> <p>5 I have felt guilty for not reporting it; however,</p> <p>6 following the bullying and harassment I received for</p> <p>7 reporting the racist comment [he refers to] made by</p> <p>8 Sam Gurney, I was reticent to do so."</p> <p>9 When he gave evidence about the matter -- chair,</p> <p>10 tab 47, which is &lt;INQ000101&gt; at page 31 -- if we can</p> <p>11 expand the top right, please, he was being asked</p> <p>12 questions on this topic.</p> <p>13 "Ms Townshend: ...</p> <p>14 "The final topic [the question at line 10], which is</p> <p>15 mistreatment against a detained person, a particular</p> <p>16 incident I want to ask you some questions about. In</p> <p>17 your first witness statement at paragraph 162 ..."</p> <p>18 Which is what we were just looking at:</p> <p>19 "... you describe an incident in which</p> <p>20 DCM Derek Murphy punched an unnamed detainee, a detainee</p> <p>21 that you can't remember his name, during a control and</p> <p>22 restraint in spring 2017."</p> <p>23 And he was asked to describe it in his own words:</p> <p>24 "Answer: Yes. At the time, I was seconded to the</p> <p>25 Home Office, so I was working sort of Monday to Friday</p> <p style="text-align: center;">Page 113</p>	<p>1 they did it very well. The guy was -- you know, he was</p> <p>2 angry, he was shouting and he was under control, and</p> <p>3 I was almost, like, instructing them what to do next.</p> <p>4 "So someone had called a first response on their</p> <p>5 radio."</p> <p>6 And this was a term, Mr Murphy, you used right at</p> <p>7 the beginning of your evidence about control and</p> <p>8 restraint:</p> <p>9 "On the radios, there's like a red button. If you</p> <p>10 hold it three times, it goes to the control room as</p> <p>11 a first response. So a designated team would be called</p> <p>12 out to that incident. Control room would say, 'Control</p> <p>13 first response', and the first officer that came in from</p> <p>14 that first response was DCO Derek Murphy, and the guy,</p> <p>15 the detained guy, had his head facing the wing door, the</p> <p>16 exit door -- there was only one door -- and his head was</p> <p>17 low, about 90 degrees, held about 90 degrees.</p> <p>18 Derek Murphy came in very low and then upper cut</p> <p>19 a couple of times, I think two or three times, in the</p> <p>20 face, and I intervened, and it's very difficult because</p> <p>21 when you have -- when you're in situation where your</p> <p>22 adrenaline kicks in, you have a tunnel vision, you see</p> <p>23 directly what's in front of you, you see that incident.</p> <p>24 Sometimes everything in the peripheral vision can blur.</p> <p>25 It's just a natural occurrence of adrenaline. But</p> <p style="text-align: center;">Page 115</p>
<p>1 and I was out of uniform, talking to detained guys about</p> <p>2 the benefits of voluntary returns, supporting the</p> <p>3 Home Office. I'd gone to -- I believe it was C wing</p> <p>4 because of the layout of the building, and I was</p> <p>5 speaking to some of the staff and there was -- I think</p> <p>6 the young detained guy, he was being quite loud, a bit</p> <p>7 abusive to a female member of staff and she was getting</p> <p>8 a bit -- she was beginning to be a little bit feeling</p> <p>9 threatened, because I think she was quite new. There</p> <p>10 was also two or three officers shadowing who were new,</p> <p>11 standing in the back of the office. And I challenged</p> <p>12 this young man just to sort of -- to -- his behaviour</p> <p>13 about, you know, how you speak to people, and he turned</p> <p>14 on me and he literally -- he went to go and punch me.</p> <p>15 It was almost like a swipe and he clipped my face, so</p> <p>16 I moved back. I had to take his arm, and I was told at</p> <p>17 the time not to get involved in control and restraint,</p> <p>18 because I was obviously in a different role at the time,</p> <p>19 although I was a badged officer still, who was legally</p> <p>20 allowed to carry out control and restraint.</p> <p>21 "So a spontaneous incident happened. The officers</p> <p>22 in the wing took control of the detained guy. They both</p> <p>23 had -- one officer on each arm, had him in straight</p> <p>24 armlocks, which was the arm like that, and another</p> <p>25 officer took hold of the head, which they did in very --</p> <p style="text-align: center;">Page 114</p>	<p>1 I remember him coming in and I was, like, 'Wow', you</p> <p>2 know?</p> <p>3 "So, anyway, the guy was taken -- the detained guy</p> <p>4 was taken to CSU ..."</p> <p>5 Let me just drop down to line 21:</p> <p>6 "I spoke to Derek Murphy afterwards and I said to</p> <p>7 him, 'What you did', I said, 'You did that -- for</p> <p>8 a start, you did that in front of new staff, and what</p> <p>9 impression are you going to make?' I said, 'If I ever</p> <p>10 see or hear of you doing anything like that again,</p> <p>11 I will report you', and he said, 'Yeah, yeah, I'm sorry,</p> <p>12 I just lost it'.</p> <p>13 "In hindsight, if I'd have reported that, I should</p> <p>14 have -- I feel like I should have reported it ...</p> <p>15 Derek Murphy was seen as a bit of a hero. He was quite</p> <p>16 a loud guy, he was a big guy, he was quite loud, he was</p> <p>17 quite dominant with some of the staff ... going to be</p> <p>18 made up to DCM. He was acting up sometimes and</p> <p>19 I remember he was going to be selected as a DCM because</p> <p>20 he was dominant DCO."</p> <p>21 And he rounds off by saying he should have reported</p> <p>22 it. Do you see how he talks about upper cutting? It's</p> <p>23 his words, not mine, Mr Murphy, where there are other</p> <p>24 allegations, which I have asked you about, which have</p> <p>25 you upper cutting a detainee or detainees. What do you</p> <p style="text-align: center;">Page 116</p>

1 say about Mr Syred's evidence, Mr Murphy?

2 **A. I never upper-cutted a detainee.**

3 Q. Has he got that completely wrong?

4 **A. I never upper-cutted a detainee. That's my answer.**

5 Q. Did you punch this detainee?

6 **A. I never upper-cutted a detainee. That's my answer. You**

7 **asked me for an answer and that's it.**

8 Q. Let's avoid the word "upper cut". Did you punch

9 a detainee once or twice in the way that Mr Syred --

10 **A. I don't remember the incident. And I would never have**

11 **punched or upper-cutted a detainee.**

12 Q. Did you say to Mr Syred, "I'm sorry, I just lost it"?

13 **A. I never remember speaking to Mr Syred because he was**

14 **very, very seldom on the wings.**

15 Q. Somebody has got this terribly wrong, haven't they?

16 Either it is you or -- there is no real grey area here

17 is there, Mr Murphy?

18 **A. To me, it is not a grey area. I did not upper cut**

19 **a detainee.**

20 Q. Do you think you were a bit of a hero to others?

21 **A. Absolutely not.**

22 Q. Quite dominant?

23 **A. No, absolutely not. If I was quite dominant and a hero,**

24 **as it was put, why would he come and pull me -- I don't**

25 **know. I'm flabbergasted with that. No. I never seen**

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1 allocated to E wing more frequently --

2 **A. Yes.**

3 THE CHAIR: -- than some other officers were. Can you tell

4 us, was that your experience as well?

5 **A. Yes.**

6 THE CHAIR: Did you work on E wing often?

7 **A. Yes. Absolutely, yes.**

8 THE CHAIR: Do you have a view on why that was, why you were

9 allocated to E wing?

10 **A. I don't know. I don't know. We shouldn't have been,**

11 **because we were -- if we were using C&R and then you had**

12 **to try and de-escalate the detainees, so we should never**

13 **have been put in that position. I can't -- I don't know**

14 **why.**

15 THE CHAIR: Can you tell me a bit more about that? Do you

16 mean that you were using --

17 **A. If we had to use control and restraint on a detainee and**

18 **he ended up in CSU, and then, if we were allocated to**

19 **E wing and CSU, it's all part of the one block, we would**

20 **have to manage the whole wing and it would mean us**

21 **coming in to the detainee that we used C&R on and he**

22 **would be upset and they were well within their rights to**

23 **be upset with us because we were after using control and**

24 **restraint on them to get them into CSU. So we should**

25 **never have been put in that position in the first place.**

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1 **myself as a hero or dominant.**

2 Q. But it's whether others saw you as a hero and dominant,

3 Mr Murphy.

4 **A. I can't speak for others.**

5 Q. So it comes to this, and I'm sure you will accuse me of

6 putting words in your mouth, but does this mean, does

7 your evidence mean, that Mr Syred has just made it up?

8 **A. I did not upper cut a detainee. I'm not accusing**

9 **anybody of anything, but I did not upper cut a detainee.**

10 Q. Well, in your second witness statement, at paragraph 48,

11 you said it was completely false?

12 **A. Well, I did not upper cut a detainee or upper --**

13 **whatever you call it.**

14 MR ALTMAN: Chair, that's all I want to ask Mr Murphy.

15 I don't know if you have any questions.

16 THE CHAIR: Yes, only a few, Mr Murphy. I realise you've

17 had a long morning with us.

18 Questions from THE CHAIR

19 THE CHAIR: You spoke, both in your witness statement and

20 you've also told us today when you've been giving your

21 evidence, about certain members of staff being used for

22 C&R more frequently?

23 **A. Yes.**

24 THE CHAIR: We heard a similar type of evidence from

25 Mr Paschali last week. He also told us about being

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1 **We were just constantly put in the firing line, which**

2 **was -- which was totally wrong. Sorry, that's it.**

3 THE CHAIR: That's helpful. Thank you very much. You also

4 mentioned the lack of being able to take a break after

5 you'd used force on somebody.

6 **A. That's correct.**

7 THE CHAIR: Being told, "Man up. Write up your paperwork".

8 **A. Yes.**

9 THE CHAIR: Do you have any recollections of having what

10 might be called a debrief with a senior member of staff?

11 **A. If you had a planned intervention, you'd go back --**

12 **like, if there was a charter flight and we'd be brought**

13 **in to put detainees on -- present them to the escorts.**

14 **We would be given a briefing of a staff -- it would be**

15 **on video and you'd name and everything, and then**

16 **afterwards, quick debrief, "Any injuries?", "No**

17 **injuries". "Okay, off youse go".**

18 **Oftentimes, we'd get back to the kit room and all of**

19 **a sudden you'd have "Guys, stay in your kit. We're**

20 **going back again". This happened on numerous occasions.**

21 **Yeah, we -- yeah, just go -- we'd say, "Can we have**

22 **a break, a cup of tea and a sitdown?", because,**

23 **oftentimes, I would be physically sick after a scene**

24 **because I'd be scared, you'd be anxious, your adrenaline**

25 **would be pumping, and then we'd have to go and write the**

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30 (Pages 117 to 120)

1 **report. And that's all that seemed -- it was just --**  
 2 **excuse me for saying this, the decision seemed to us,**  
 3 **"We need to cover our arse, so get the report done".**  
 4 THE CHAIR: When you say that you -- I just want to check  
 5 that I've understood what you were saying correctly.  
 6 When you say that you would kind of go -- you'd still be  
 7 in your kit, but then you would get deployed to another  
 8 use of force before you'd taken your kit off?  
 9 **A. On many occasions, yes.**  
 10 THE CHAIR: Thank you very much. While you were working on  
 11 E wing and the CSU, that one kind of part of  
 12 the building, was there one senior manager who was  
 13 allocated to overseeing that area or did that change?  
 14 **A. That changed. That changed. It depends on who was on**  
 15 **shift.**  
 16 THE CHAIR: Okay.  
 17 **A. It changed, yeah. And depends how many DCMs were on**  
 18 **shift. Nine times out of ten, you might get one DCM**  
 19 **that would have to look after all the wings if someone**  
 20 **called in sick or something, or you might just have two.**  
 21 THE CHAIR: So you wouldn't have one named senior manager --  
 22 **A. No.**  
 23 THE CHAIR: -- who had responsibility for that part of  
 24 Brook House?  
 25 **A. No, not to my recollection, no.**

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1 THE CHAIR: One final question and then we will let you go  
 2 and get some lunch. Do you recall seeing Home Office  
 3 staff on E wing and CSU?  
 4 **A. They would have to come every day to do their -- just to**  
 5 **do another quick flit around the rooms, yes.**  
 6 THE CHAIR: Thank you very much. Those are all the  
 7 questions I have.  
 8 **A. Thank you very much.**  
 9 THE CHAIR: I appreciate it is not an easy experience --  
 10 **A. I apologise for some of my language and everything.**  
 11 THE CHAIR: No, I am glad that you have spoken freely and  
 12 I want to reassure you that I've listened to everything  
 13 you have said very carefully.  
 14 **A. Thank you very much.**  
 15 MR ALTMAN: Chair, we are a little late to rise. Shall we  
 16 say 2.10 pm?  
 17 THE CHAIR: Thank you very much. See you at 2.10 pm.  
 18 (1.10 pm)  
 19 (The short adjournment)  
 20 (2.10 pm)  
 21 MR JOHN JOSEPH CONNOLLY (sworn)  
 22 Examination by MR ALTMAN  
 23 MR ALTMAN: Mr Connolly, first of all, your name, please,  
 24 full name?  
 25 **A. Mr John Joseph Connolly.**

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1 Q. Mr Connolly, you have made two witness statements for  
 2 the inquiry, the first of them dated 24 July of last  
 3 year, obviously; the second, apparently undated. They  
 4 are respectively, chair, in terms of the inquiry  
 5 references, <INQ000124> and <INQ000120>. As usual,  
 6 I will ask for those to be adduced in full, please?  
 7 THE CHAIR: Indeed, thank you.  
 8 MR ALTMAN: Do you have your statement in front of you,  
 9 Mr Connolly?  
 10 **A. I've got them just by my side here.**  
 11 Q. I'm going to be referring to some of the paragraphs of  
 12 them, so it would be as well for you to have them in  
 13 front of you. I want to ask you -- you will find the  
 14 first witness statement behind tab 1 and the second  
 15 behind tab 2, if you just keep that open. As required,  
 16 I will take you to paragraphs of your witness statement.  
 17 I'm beginning with the first witness statement, at,  
 18 really, your paragraph 3. Tell us the history of your  
 19 employment with G4S, in particular Tinsley House and at  
 20 Brook House, please?  
 21 **A. Yes. I started work at Tinsley House in**  
 22 **I think September/November 2006. I was employed as**  
 23 **a detainee custody officer.**  
 24 Q. Pausing there, in 2006, was it for G4S or for another  
 25 company?

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1 **A. Sorry, it was for GSL.**  
 2 Q. GSL. In March 2009, if my memory serves me, they took  
 3 over the contract, or had the contract, is that right,  
 4 for the immigration removal centres at Gatwick?  
 5 **A. That's right. G4S put the tender bid in.**  
 6 Q. So they effectively took it over. But you started work  
 7 as long ago, at Tinsley House, as 2006?  
 8 **A. That's right.**  
 9 Q. Remind me, what did you just say? As a ...?  
 10 **A. Detainee custody officer.**  
 11 Q. A DCO, as we have come to shorten it. Did you work,  
 12 throughout that period, just at Tinsley House or did you  
 13 flip between the two?  
 14 **A. I worked predominantly then at Tinsley House.**  
 15 Q. When did that change?  
 16 **A. I think I moved to Brook House -- I think it may have**  
 17 **been 2011/2012, I'm not sure.**  
 18 Q. All right, thereabouts. At the third paragraph of your  
 19 first witness statement, you say in the last couple of  
 20 lines:  
 21 "Although all through I was only a DCO, when  
 22 required, I instructed the initial training courses for  
 23 their initial control and restraint training. I also  
 24 refreshed operational staff."  
 25 When did you become an instructor?

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31 (Pages 121 to 124)

<p>1 <b>A. I became an instructor -- I think it was July 2010.</b></p> <p>2 Q. Yeah.</p> <p>3 <b>A. Or '09.</b></p> <p>4 Q. Well, either '09 or '10?</p> <p>5 <b>A. 2010, I think.</b></p> <p>6 Q. 2010 you became an instructor. How did you become an</p> <p>7 instructor?</p> <p>8 <b>A. I applied for -- I applied to my line manager at</b></p> <p>9 <b>Tinsley House --</b></p> <p>10 Q. Yes.</p> <p>11 <b>A. -- to be a control and restraint and instructor.</b></p> <p>12 Q. Yes.</p> <p>13 <b>A. And then I didn't hear anything for two or three months,</b></p> <p>14 <b>probably.</b></p> <p>15 Q. Yes.</p> <p>16 <b>A. They said I was successful, and I went to HMP Kidlington</b></p> <p>17 <b>for initial assessment.</b></p> <p>18 Q. Yes.</p> <p>19 <b>A. A day assessment. I had to give a PowerPoint</b></p> <p>20 <b>presentation and also I had to give a lesson of a --</b></p> <p>21 <b>techniques on the mat.</b></p> <p>22 Q. So you applied, you didn't hear for a bit. When you did</p> <p>23 hear, you were sent off to Kidlington, HMP, a prison,</p> <p>24 HMP, Her Majesty's Prison, was it?</p> <p>25 <b>A. No, it's a college. They call it a college. It was two</b></p> <p style="text-align: center;">Page 125</p>	<p>1 <b>HMP Doncaster to do a four-day refresher course, and</b></p> <p>2 <b>that was a pass or fail.</b></p> <p>3 Q. So if you failed, you were off the books?</p> <p>4 <b>A. Yep.</b></p> <p>5 Q. And if you passed --</p> <p>6 <b>A. Had another 12 months.</b></p> <p>7 Q. -- you continued training. Did you pass every year?</p> <p>8 <b>A. Yes.</b></p> <p>9 Q. In the statement, the first statement, you gave, if you</p> <p>10 look at your paragraph 2, under the heading</p> <p>11 "Professional qualifications", in brackets you have</p> <p>12 "Prison Service". Before you started at Tinsley House,</p> <p>13 had you been in the Prison Service?</p> <p>14 <b>A. No.</b></p> <p>15 Q. Is that what you meant by that?</p> <p>16 <b>A. No, I think I was just highlighting the qualifications</b></p> <p>17 <b>underneath. That was all.</b></p> <p>18 Q. If you don't mind me asking, before 2006, what was your</p> <p>19 occupation?</p> <p>20 <b>A. I worked in the Royal Society of Medicine in</b></p> <p>21 <b>Wimpole Street, front-of-house reception.</b></p> <p>22 Q. So this was a completely different career direction?</p> <p>23 <b>A. Yes.</b></p> <p>24 Q. In 2006, one assumes you had, going in as a DCO, the</p> <p>25 sort of training we have heard about, the initial</p> <p style="text-align: center;">Page 127</p>
<p>1 <b>aircraft hangars.</b></p> <p>2 Q. As part of the prison estate?</p> <p>3 <b>A. Yes, it was.</b></p> <p>4 Q. And you did an assessment?</p> <p>5 <b>A. Yes.</b></p> <p>6 Q. For which, presumably, you were successful?</p> <p>7 <b>A. I was, yes.</b></p> <p>8 Q. When did you go on an instructor's course? Was it</p> <p>9 immediately after? Nobody is tying you down to dates,</p> <p>10 Mr Connolly?</p> <p>11 <b>A. No ...</b></p> <p>12 Q. Roughly?</p> <p>13 <b>A. Right. Let me rewind. I went on the initial one-day</b></p> <p>14 <b>assessment course 2009.</b></p> <p>15 Q. Yes, okay.</p> <p>16 <b>A. 2010, I went on the two-week instructor's course at</b></p> <p>17 <b>Kidlington. Sorry about that.</b></p> <p>18 Q. Presumably, you had practical exercises, exams to take,</p> <p>19 and presumably you passed?</p> <p>20 <b>A. Yes.</b></p> <p>21 Q. So, thereafter, were you allowed to instruct others in</p> <p>22 control and restraint?</p> <p>23 <b>A. Once I passed that two-week course, yes.</b></p> <p>24 Q. Did you need to have refreshers yourself?</p> <p>25 <b>A. Yes. Every year, we had to go to Kidlington or</b></p> <p style="text-align: center;">Page 126</p>	<p>1 training course, the one you ended up instructing?</p> <p>2 <b>A. Yes.</b></p> <p>3 Q. So by the time you applied to become, and did become, an</p> <p>4 instructor, about 2010, you had been at it for four</p> <p>5 years?</p> <p>6 <b>A. Yes.</b></p> <p>7 Q. What do you think equipped you to become an instructor?</p> <p>8 <b>A. I was very good at the techniques. I was very good at</b></p> <p>9 <b>talking to people and actually standing back and</b></p> <p>10 <b>directing people. I find that if -- if you talk to</b></p> <p>11 <b>people, you could talk to people for as long as you</b></p> <p>12 <b>wanted, but, eventually, you come to an impasse, and</b></p> <p>13 <b>that's where control and restraint, unfortunately, came</b></p> <p>14 <b>in.</b></p> <p>15 Q. Presumably, by the time you came to apply for and become</p> <p>16 an instructor, you, yourself, had been involved in</p> <p>17 control and restraint?</p> <p>18 <b>A. At Tinsley House, probably about two or three. That was</b></p> <p>19 <b>it.</b></p> <p>20 Q. Two or three, ever?</p> <p>21 <b>A. Yes, ever.</b></p> <p>22 Q. So before you -- so that we are clear, before you</p> <p>23 applied to become an instructor, you'd only had</p> <p>24 experience of control and restraint, in practical terms,</p> <p>25 two or three times?</p> <p style="text-align: center;">Page 128</p>



<p>1 <b>A. Yes.</b></p> <p>2 Q. Once you were an instructor, did you ever become</p> <p>3 involved directly in control and restraint?</p> <p>4 <b>A. Yeah, I'd normally supervise.</b></p> <p>5 Q. Yes.</p> <p>6 <b>A. So I'd be stood back, just watching.</b></p> <p>7 Q. So you'd never be hands on?</p> <p>8 <b>A. Unless it was absolutely necessary.</b></p> <p>9 Q. How often do you think it became absolutely necessary?</p> <p>10 <b>A. In my time at Brook House, probably three or four.</b></p> <p>11 Q. So that would be, what, 2011 to the time you were</p> <p>12 dismissed in 2017?</p> <p>13 <b>A. Correct.</b></p> <p>14 Q. So over six years, three or four times?</p> <p>15 <b>A. Yep.</b></p> <p>16 Q. What were the sort of circumstances in which it became</p> <p>17 absolutely necessary for you not merely to supervise and</p> <p>18 be in the background, but actually to become involved?</p> <p>19 <b>A. On one occasion, I think it was on E wing, we had to go</b></p> <p>20 <b>in and remove a detainee from his cell. Unbeknown to</b></p> <p>21 <b>us, nobody had switched off the electrics or the water,</b></p> <p>22 <b>so the detainee had managed to boil hot water and add</b></p> <p>23 <b>washing up liquid to it, so when the officers went in,</b></p> <p>24 <b>one of the officers didn't have his collar down, so he</b></p> <p>25 <b>got burnt, scalded, so we had to pull him out and I had</b></p> <p style="text-align: center;">Page 129</p>	<p>1 Q. Is that the PSU?</p> <p>2 <b>A. If it wasn't, it would be lessons learnt and we'd take</b></p> <p>3 <b>the whole team, show them the video footage, if there</b></p> <p>4 <b>was any footage, show them the report and it would be</b></p> <p>5 <b>a lessons learnt.</b></p> <p>6 Q. The Home Office, are you having in mind the Professional</p> <p>7 Standards Unit?</p> <p>8 <b>A. Yes.</b></p> <p>9 Q. We may come back to aspects of that. Still focusing on</p> <p>10 paragraph 2 of your first witness statement, you there</p> <p>11 set out some dates. You say January 2009 you were</p> <p>12 a "bronze unit commander (Tornado)". What did that</p> <p>13 mean?</p> <p>14 <b>A. The bronze commander for the Tornado units was</b></p> <p>15 <b>12 officers and there was two commanders per 12-officer</b></p> <p>16 <b>team. If an establishment had lost control of</b></p> <p>17 <b>the establishment, then the Tornado teams would go in</b></p> <p>18 <b>and claw back the control of that establishment. But</b></p> <p>19 <b>because we weren't PCOs -- prison custody officers -- we</b></p> <p>20 <b>were detainee custody officers, we couldn't go into</b></p> <p>21 <b>prisons, only G4S establishments.</b></p> <p>22 Q. Yes.</p> <p>23 <b>A. So ...</b></p> <p>24 Q. Let's just understand that a bit. These teams, of which</p> <p>25 you were one of two, as I understand it, bronze unit</p> <p style="text-align: center;">Page 131</p>
<p>1 <b>to jump in.</b></p> <p>2 Q. I see. That's an example of when it was necessary for</p> <p>3 you to be there. When you were supervising control and</p> <p>4 restraint, what did supervision mean to you?</p> <p>5 <b>A. Making sure that the officers were doing -- were using</b></p> <p>6 <b>the correct techniques.</b></p> <p>7 Q. Yes.</p> <p>8 <b>A. And, if they weren't, reminding them, and also looking</b></p> <p>9 <b>out for the welfare of the detainee. Medical</b></p> <p>10 <b>emergencies.</b></p> <p>11 Q. So you would supervise in real time?</p> <p>12 <b>A. Yes.</b></p> <p>13 Q. After such a control and restraint, where things had</p> <p>14 gone wrong or the correct techniques weren't being used,</p> <p>15 did you ever take it upon yourself to debrief the</p> <p>16 officers afterwards?</p> <p>17 <b>A. What normally happened afterwards, we'd sit down and the</b></p> <p>18 <b>officers would have a half an hour just to reflect,</b></p> <p>19 <b>gather their thoughts, and they would write their</b></p> <p>20 <b>report, which may have taken an hour, an hour and</b></p> <p>21 <b>a half. After that, all the reports were collated.</b></p> <p>22 <b>I would read them and, if there was anything untoward,</b></p> <p>23 <b>then, yes, we would -- if it was serious, then it would</b></p> <p>24 <b>go to the Home Office. They had their own branch that</b></p> <p>25 <b>would investigate control and restraint.</b></p> <p style="text-align: center;">Page 130</p>	<p>1 commanders, has this got anything to do with the</p> <p>2 Nationals or is this something entirely different?</p> <p>3 <b>A. The Nationals trained and the Nationals would be in</b></p> <p>4 <b>charge of Tornadoes, because, basically, the governor</b></p> <p>5 <b>would hand over control to the Nationals.</b></p> <p>6 Q. Is that the governor of a prison?</p> <p>7 <b>A. Yes, or a detention centre.</b></p> <p>8 Q. Are these what are known, or at least were known, in</p> <p>9 2017, as the National Tactical Response Group, the NTRG?</p> <p>10 <b>A. The NTRG, yes.</b></p> <p>11 Q. Or the Nationals. I'm just trying to understand what</p> <p>12 this Tornado group was. Was it part of the Nationals or</p> <p>13 was it outside the Nationals? Did it only operate in</p> <p>14 detention centres or was it something else?</p> <p>15 <b>A. No, in a prison environment -- prison establishments and</b></p> <p>16 <b>detainee establishments.</b></p> <p>17 Q. Yes.</p> <p>18 <b>A. The Nationals had overall -- an officer first had to go</b></p> <p>19 <b>and be qualified in control and restraint.</b></p> <p>20 Q. Yes.</p> <p>21 <b>A. And then he would --</b></p> <p>22 Q. Are we talking about prison or detention?</p> <p>23 <b>A. Both.</b></p> <p>24 Q. Both.</p> <p>25 <b>A. Then he would go to Kidlington for a week's course.</b></p> <p style="text-align: center;">Page 132</p>

1 Q. Are you talking about instructors?

2 **A. No, the officers would go to Kidlington for a week's**

3 **course.**

4 Q. Which officers?

5 **A. The officers that applied to go for Tornado. DCOs.**

6 Q. I see. Let's just try and understand this, because I'm

7 struggling with it at the moment.

8 **A. Sorry.**

9 Q. A PCO within the prison estate, or a DCO within the

10 detention estate, could, if they wished, apply to become

11 an officer on one of those units?

12 **A. Yes.**

13 Q. This has got nothing to do with the internal training

14 that G4S provided --

15 **A. No.**

16 Q. -- in the detention estate. If you went off to become

17 one of these Tornado group members, what would your job

18 be when a control and restraint required you? What was

19 it that made you different --

20 **A. Nothing.**

21 Q. -- to the ordinary DCO or DCM inside the estate? What

22 was special about this Tornado unit?

23 **A. They learnt how to defend themselves against fire bombs,**

24 **petrol bombs. They were -- it was more geared up**

25 **towards the prisons than it was detainee. But I think**

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1 **it was a contractual requirement for Brook House and**

2 **Tinsley House to have Tornado units.**

3 Q. Right.

4 **A. And that was from the Home Office.**

5 Q. So, thinking about it, forget the prison estate. Did

6 Brook House, as far as you know, during the time that

7 you were there, from about 2011 onwards, have a Tornado

8 unit of officers?

9 **A. Yes.**

10 Q. Were you one of those officers?

11 **A. Yes.**

12 Q. Were you in charge of them?

13 **A. Yes.**

14 Q. Can you remember or remind us, you mentioned a figure

15 a little earlier, I think you said two units of

16 12 officers?

17 **A. 12 officers and two commanders.**

18 Q. 12 officers and two commanders. Who was the other

19 commander?

20 **A. It was Simon Murrell, but he left, so it was just me.**

21 Q. So just you.

22 **A. Yes.**

23 Q. The 12 officers, do you remember any of their names?

24 **A. Yep. You had Nathan Ward.**

25 Q. First names?

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1 **A. Steve.**

2 Q. Webb?

3 **A. I think --**

4 Q. Skitt?

5 **A. The second?**

6 Q. Steve Skitt, Steve Webb?

7 **A. No.**

8 Q. None of those. Steve Loughton?

9 **A. Yes.**

10 Q. Right.

11 **A. Sorry about this.**

12 Q. No, no, don't -- I'm putting you on the spot. It's

13 difficult.

14 **A. No, no, no. I'm trying to think. Andy Lyden.**

15 Q. L-Y-D-E-N, I think.

16 **A. Yes. Dave Aldis.**

17 Q. A-L-D-I-S.

18 **A. Who was -- she's left now, a female officer.**

19 Q. Don't worry, Mr Connolly. Because, otherwise, this

20 could take some time. But we are getting an impression.

21 So this Tornado unit you have in mind now, did they

22 exist at the time you started at Brook House effectively

23 full time, 2011?

24 **A. Initially, when Brook House opened, 50 DCOs that were**

25 **only doing a week's C&R training went up to Kidlington**

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1 **to become advanced, as they call it, control and**

2 **restraint.**

3 Q. Let me ask you this: did this Tornado unit still exist

4 in 2017, or had it been disbanded?

5 **A. Probably in name. There was only one commander, and**

6 **that was I. No, in fact, I packed up in 2015.**

7 Q. Yes.

8 **A. So the officers -- I think there was a handful of**

9 **officers, about seven or eight, were still going up**

10 **there to do their refresher, but it was nonsensical.**

11 Q. All right. I think we have got some idea, I hope, of

12 what you were referring to in your witness statement

13 when you talked about that. Coming back to training,

14 your instruction of officers on the ITC, the initial

15 training course, and it was a week-long course, was it,

16 control and restraint?

17 **A. It was, yes.**

18 Q. Did you think that officers were sufficiently trained

19 for what they were going to be confronted with? I'm not

20 talking about your training, I'm talking about the

21 training that was offered within a syllabus which was

22 clearly provided to you. Did you think it was enough?

23 **A. Yes, it was -- I think it was about 40 hours, 38 hours,**

24 **40 hours, yes.**

25 Q. Yes.

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34 (Pages 133 to 136)

<p>1 <b>A. Yes.</b></p> <p>2 Q. Do you think that enough emphasis and training was given</p> <p>3 to de-escalation, rather than the use of force as a last</p> <p>4 resort?</p> <p>5 <b>A. Yes. Day one was PowerPoint, and it was hammered home:</b></p> <p>6 <b>de-escalate first, if you could. If you couldn't</b></p> <p>7 <b>de-escalate, try and control it. If you don't -- defuse</b></p> <p>8 <b>it. If you couldn't defuse it, try and control it. So</b></p> <p>9 <b>that was the mind-set to try and get people into: talk</b></p> <p>10 <b>first, if you could, for as long as you could. But</b></p> <p>11 <b>eventually, as I said, you'd come to an impasse and ...</b></p> <p>12 Q. Who was the examiner, as it were, for these individuals</p> <p>13 that passed through your hands during control and</p> <p>14 restraint training? Who examined them?</p> <p>15 <b>A. Ourselves, the control and restraint instructors.</b></p> <p>16 Q. Who do you mean, "ourselves"?</p> <p>17 <b>A. Well, there was myself, Michael Trott, Jack Bannister,</b></p> <p>18 <b>Dave Killick, Dave Webb and Steve -- Steve Webb, should</b></p> <p>19 <b>I say, sorry, I always get them mixed up, Steve Webb.</b></p> <p>20 Q. Were they also instructors?</p> <p>21 <b>A. Yes.</b></p> <p>22 Q. So, like you, they were instructors. Was there ever</p> <p>23 a time, Mr Connolly, when you felt an individual who had</p> <p>24 passed the training really ought not to have done?</p> <p>25 <b>A. No. Day four was our day on the training where we</b></p> <p style="text-align: center;">Page 137</p>	<p>1 for the detention estate was just not bespoke enough for</p> <p>2 the detention population?</p> <p>3 <b>A. Looking back, probably yes. When they brought this new</b></p> <p>4 <b>package in called MMPR -- Managing and Minimising</b></p> <p>5 <b>Physical Restraint -- that was a whole new world opened</b></p> <p>6 <b>up for how we dealt with detainees.</b></p> <p>7 Q. Yes.</p> <p>8 <b>A. The holds were -- I wouldn't call them soft, but the</b></p> <p>9 <b>holds were a lot -- user friendly towards the detainees,</b></p> <p>10 <b>whereas -- we didn't have that tool or package in the</b></p> <p>11 <b>control and restraint world.</b></p> <p>12 Q. So when did MMPR come into use? It's something that you</p> <p>13 will actually see mentioned as a sort of legend on the</p> <p>14 use of force forms, the DCF 2. If my memory serves me,</p> <p>15 I certainly asked Callum Tulley, when he gave evidence,</p> <p>16 whether he'd had any MMPR training, and I'm not sure he</p> <p>17 knew what I was talking about.</p> <p>18 First of all, what's the difference between MMPR and</p> <p>19 traditional control and restraint?</p> <p>20 <b>A. Control and restraint, I think it came in -- it came</b></p> <p>21 <b>into being in the '90s, after Strangeways, and it was</b></p> <p>22 <b>geared solely to: go in, get hold of an individual and</b></p> <p>23 <b>restrain him. MMPR, they realised that you couldn't</b></p> <p>24 <b>keep someone in holds, restrain them for that length of</b></p> <p>25 <b>time, without going into a medical emergency, and, also,</b></p> <p style="text-align: center;">Page 139</p>
<p>1 <b>decided if an individual was not good enough to go on to</b></p> <p>2 <b>the final day's exercise. We had a guy called --</b></p> <p>3 <b>I think he was mentioned on the Panorama programme.</b></p> <p>4 Q. That's probably quite a few people, Mr Connolly.</p> <p>5 <b>A. Anyway, this guy, we put him under pressure. He ripped</b></p> <p>6 <b>his helmet off, he saw red, so we -- yeah, we binned</b></p> <p>7 <b>him, for want of a better word.</b></p> <p>8 Q. This was during training?</p> <p>9 <b>A. Yes.</b></p> <p>10 Q. What do you mean "binned him"?</p> <p>11 <b>A. We failed him on his control and restraint.</b></p> <p>12 Q. Okay.</p> <p>13 <b>A. And that was a pass or fail on the ITC.</b></p> <p>14 Q. So it wasn't a question of getting beyond a certain pass</p> <p>15 mark, was it?</p> <p>16 <b>A. No. No, no.</b></p> <p>17 Q. Do you think, looking back now, that the nature of the</p> <p>18 training that you were instructed to give new recruits,</p> <p>19 and the refresher training, was too geared towards the</p> <p>20 prison estate rather than the detention estate? In</p> <p>21 other words, you were dealing with different issues,</p> <p>22 different types of people, and different reasons for</p> <p>23 them being held in detention, rather than prisoners who</p> <p>24 were either on remand or convicted? Did you think, or</p> <p>25 did it ever strike you, that perhaps the C&amp;R training</p> <p style="text-align: center;">Page 138</p>	<p>1 <b>you couldn't de-escalate that situation if a person was</b></p> <p>2 <b>being held against their will.</b></p> <p>3 Q. So when did MMPR become a thing?</p> <p>4 <b>A. I think 2015 or '16. We tagged MMPR on to refresher</b></p> <p>5 <b>training for the staff.</b></p> <p>6 Q. Pausing there, if you were a new recruit in 2016, by way</p> <p>7 of example, would you be trained in MMPR, C&amp;R or both?</p> <p>8 <b>A. Both. But I can't actually remember the date. Sorry</b></p> <p>9 <b>about that. It was --</b></p> <p>10 Q. Don't worry.</p> <p>11 <b>A. When we went to Kidlington on one of our refresher</b></p> <p>12 <b>training, they slowly --</b></p> <p>13 Q. Worked it in?</p> <p>14 <b>A. -- worked it into the syllabus.</b></p> <p>15 Q. But if you had been trained under the regime before</p> <p>16 MMPR, you only got MMPR when you went on a refresher</p> <p>17 course.</p> <p>18 <b>A. Yes.</b></p> <p>19 Q. Is that what you're telling us?</p> <p>20 <b>A. Yes.</b></p> <p>21 Q. If you had to put your finger on the fundamental</p> <p>22 difference between the two, what would you say it was?</p> <p>23 <b>A. Probably the difference between driving a Mini or</b></p> <p>24 <b>a Rolls Royce.</b></p> <p>25 Q. Which is which?</p> <p style="text-align: center;">Page 140</p>

1 **A. Mini being the C&R, MMPR being the Rolls Royce.**  
 2 Q. Do you think it made a substantial difference?  
 3 **A. Oh, yes.**  
 4 Q. In what way?  
 5 **A. The way you escorted a person from one location in the**  
 6 **centre to another. It was totally different. It was**  
 7 **a softer approach. It was a calmer approach.**  
 8 Q. Yes.  
 9 **A. It was a lot better for the detainees, a lot better for**  
 10 **the officers.**  
 11 Q. Do you think, looking back, that those officers who had  
 12 been trained and refresher trained, especially some of  
 13 the older cohort, who had been around, you know, from  
 14 2009 onwards, who were certainly trained on refresher  
 15 courses to MMPR, do you think -- could you spot that  
 16 they were actually handling things differently once they  
 17 got MMPR training, after years of ordinary, classical  
 18 C&R?  
 19 **A. Yes. There was a lot of -- from the older guys, there**  
 20 **was a lot of sort of apprehension about the MMPR.**  
 21 Q. Apprehension or resistance?  
 22 **A. I don't know. It -- some of them might have thought we**  
 23 **were going a bit soft.**  
 24 Q. Yes.  
 25 **A. However, we weren't. It was -- once they got training,**

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1 **and once they got used to it, a lot of them went, "You**  
 2 **know what, that's ...", yes.**  
 3 Q. From your perspective, Mr Connolly, do you think it made  
 4 a difference, first, as far as the officers were  
 5 concerned who were trained in it, how they approached  
 6 C&R -- that's question 1. And question 2, if so, did it  
 7 make a difference to the welfare and care of detainees  
 8 upon whom C&R was used?  
 9 **A. First question, it focused the mind of the officers and**  
 10 **it gave them a whole new outlook on how we dealt with**  
 11 **detainees and, yeah, the detainees -- once you'd used**  
 12 **force on a detainee, we used to leave them for 24 hours,**  
 13 **and then myself or another instructor, with a DCM, would**  
 14 **go in and ask the detainee why he thought force was used**  
 15 **on him, did he think it was appropriate, and then we'd**  
 16 **tell him why the force was used. So we'd have**  
 17 **a conversation with him about it.**  
 18 Q. That's MMPR, is it?  
 19 **A. Yes, that was brought in as a separate package.**  
 20 Q. Thinking about Callum Tulley, I thought I'd asked him  
 21 the question in phase 1. It may well be it was  
 22 a response in his inquiry statement to a question about  
 23 MMPR where he said he didn't know what it was. But it  
 24 doesn't really matter. Callum Tulley is somebody who  
 25 came into Brook House in 2015, and he left in July 2017.

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1 Ought he to have known, given those dates, what MMPR  
 2 was?  
 3 **A. Certainly. He would have had a refresher and he would**  
 4 **have been refreshed on MMPR. I think on the use of**  
 5 **force forms it was, "Did you employ MMPR? Did you**  
 6 **employ C&R?" So it was a joint box for people.**  
 7 Q. Yes. You talk about when you became an instructor you  
 8 were a local control and restraint instructor. Local to  
 9 what? What did that mean? Local to Brook House or  
 10 local --  
 11 **A. Yeah, that's local to Brook House. The Nationals called**  
 12 **anybody that wasn't a National a local instructor, so**  
 13 **you could be at HMP Wandsworth or wherever.**  
 14 Q. The training that you had, who was it delivered by?  
 15 **A. I'm trying to think of his name now.**  
 16 Q. Not name. Let me ask you it this way: was it people who  
 17 had worked within the Prison Service?  
 18 **A. Yes.**  
 19 Q. High-level instructors, presumably?  
 20 **A. Yes.**  
 21 Q. Do you think there's a risk, given what I was asking you  
 22 earlier about the transposition between the  
 23 Prison Service and the detention estate and the kind of  
 24 training that was delivered, do you think there was  
 25 a risk -- maybe unintended -- that people trained within

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1 a sort of Prison Service syllabus and programme  
 2 imported, inevitably, Prison Service ideology into the  
 3 detention estate where C&R is concerned?  
 4 **A. No, I don't think so, because we were sort of divorced**  
 5 **from the Prison Service. We'd done that training, and**  
 6 **then we employed that training to either Brook or**  
 7 **Tinsley House, and we tailored that to --**  
 8 Q. Yes.  
 9 **A. For instance, we couldn't carry handcuffs. So if we**  
 10 **were on a restraint and you had to restrain a detainee,**  
 11 **nobody was there at the time to apply handcuffs to**  
 12 **de-escalate the situation quickly. You had to call for**  
 13 **a manager.**  
 14 Q. Right. So, what, nobody carried handcuffs?  
 15 **A. No.**  
 16 Q. So when we see, and we see often, handcuffs being  
 17 applied, where would those handcuffs have come from?  
 18 **A. If that was on a planned operation, then the handcuff**  
 19 **officer would have the handcuffs there and then, because**  
 20 **then you could apply the handcuffs and start to**  
 21 **de-escalate the situation.**  
 22 Q. But if it was an unplanned --  
 23 **A. No.**  
 24 Q. Nobody had handcuffs?  
 25 **A. Apart from the duty DCM.**

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36 (Pages 141 to 144)

<p>1 Q. Let me ask you something that Nathan Ward said to the 2 inquiry when he gave evidence. I will put this up on 3 screen. It is something in his first witness statement. 4 Chair, it is tab 27 of the bundle. It is &lt;DL0000141&gt; at 5 page 81. Don't worry about that, Mr Connolly. You will 6 see it go up on screen. You will see at the bottom 7 under the heading "Control and restraint", "Training and 8 attitude". You have told us Nathan Ward was one of your 9 Tomadoes. At paragraph 230: 10 "Control and restraint ... techniques for custodial 11 environments have been taught nationally as early as the 12 late 1960s in an attempt to bring a standardised 13 approach to managing incidents in prisons. The National 14 Tactical Response Group (NTRG) who deal with the most 15 violent and dangerous incidents nationally are the team 16 who now develop and deliver the C&amp;R methods and 17 training. The NTRG were born out of a hostage incident 18 in Peterhead Prison in October 1987 where a 56-year-old 19 officer was taken hostage. The government did not have 20 a suitable operational response within the 21 Prison Service and so had to deploy members of 22 the UK Special Forces to resolve the incident. 23 Following this, the Prison Service developed NTRG. From 24 its inception, C&amp;R instructors were an elite team within 25 the Prison Service who were extremely fit and able to</p> <p style="text-align: center;">Page 145</p>	<p>1 training to Wayne Debnam and Ben Saunders at the time as 2 I felt it was inappropriate, humiliating and set the 3 wrong culture for the centre. They stopped the warm-up 4 practices for a certain period of time. I complained 5 about the C&amp;R training more than anything as I saw it as 6 being central to the running of Brook House, which to 7 my mind was wrong and perpetuated a negative, 8 macho-aggressive culture." 9 Over the page, 233: 10 "Another issue I had with C&amp;R was the emotional 11 responses I witnessed from certain officers. In 1988, 12 the Prison Service undertook some research into the 13 effectiveness of their relatively new C&amp;R techniques. 14 The research noted that '... responses indicated that 15 engaging in the use of C&amp;R techniques is an "emotional 16 experience for officers". Their stated feelings 17 generally tend to be at either end of an emotional 18 scale, either "elated"/ "great" / "confident" or 19 "nervous" / "worried" / "anxious". This range of 20 emotional experiences can be seen in the Panorama 21 documentary and which reflect my own experience of 22 observing staff, some of whom would present themselves 23 as 'victorious'. During my time at Brook House, 24 I witnessed the visible adrenaline of certain staff who 25 would regularly engage in C&amp;R following the restraint.</p> <p style="text-align: center;">Page 147</p>
<p>1 dominate the most violent of circumstances. 2 Intentionally or not, this is the environment in which 3 local C&amp;R instructors are taught at the National 4 Training Centres. The local instructors then deliver 5 the training within their own establishments and try and 6 replicate their own 'national experience', which is 7 expressed as a toxic masculine culture, which 8 I witnessed filter down to G4S staff and the methods 9 they would [probably missing a word 'use'] to carry out 10 force and C&amp;R in practice and which is evidence in 11 Panorama." 12 He adds: 13 "During my own time being trained by the NTRG as 14 a use of force instructor, people used to reminisce 15 about NTRG trainers who boasted about their method of 16 sleeping with females on the course by 'being harsh to 17 them at the start of the week and then be kind at the 18 end', and ending the course with heavy drinking on the 19 penultimate night. As a teetotal I did not partake in 20 social events which involved heavy drinking. 21 "The toxic masculine culture which filtered down to 22 G4S was evident. I witnessed staff being trained in 23 degrading ways, such as forcing them to dress up in 24 boiler suits and helmets to do warm-ups, with press-ups 25 if they made mistakes. I complained about the C&amp;R</p> <p style="text-align: center;">Page 146</p>	<p>1 They seemingly enjoyed the adrenaline rush and it was 2 reflective of the alpha male attitude. There are clear 3 examples of it recorded in the Panorama documentary with 4 officers boasting about the use of force. A stark 5 example is Yan Paschali, who boasts after apparently 6 strangling D1527 that: 'We don't cringe at breaking 7 bones ... If I killed a man, I wouldn't be bothered. 8 I'd carry on'. Whilst this may be shocking, from my 9 experience, it's a reflection of the methods and ethos 10 of C&amp;R." 11 I'm not going to read the rest, but he continues 12 under that heading with his views about it. Quite a lot 13 there, Mr Connolly. But do you think it represented the 14 C&amp;R type of training which filtered down to G4S was 15 toxic, masculine -- 16 <b>A. No.</b> 17 <b>Q. -- in the way that he says?</b> 18 <b>A. No. Our PowerPoint presentation on the use of law, we</b> 19 <b>tailored that to -- specifically for detention centres.</b> 20 <b>As I said, the training, we debriefed each student after</b> 21 <b>every day's training to highlight points. If we thought</b> 22 <b>a student was going to go over the top, lose his rag,</b> 23 <b>then that student would be binned straight away, no</b> 24 <b>messing about. I don't think Nathan Ward did control</b> 25 <b>and restraint. He was -- he taught use of force for</b></p> <p style="text-align: center;">Page 148</p>

<p>1 young adults between 12 and 17.</p> <p>2 That was at Yarl's Wood -- not Yarl's Wood, Medway,</p> <p>3 YOI Medway.</p> <p>4 Q. Are you saying you don't recognise any of what he says</p> <p>5 here? I know there is a lot, but he says, you know, the</p> <p>6 effect of importing this culture from the prison estates</p> <p>7 leads to a toxic, masculine culture which filters down</p> <p>8 through the training to G4S staff?</p> <p>9 <b>A. I don't know where he gets that it was imported because</b></p> <p>10 <b>none of us were prison officers. We never worked in</b></p> <p>11 <b>a prison --</b></p> <p>12 Q. No, but you're being trained by high-level instructors</p> <p>13 from the Prison Service?</p> <p>14 <b>A. Those officers, again, like our -- I think towards the</b></p> <p>15 <b>end, 2015, we videoed all our training week from day one</b></p> <p>16 <b>to day five. Prisons on our training did that as well,</b></p> <p>17 <b>it was all video. So any inappropriate behaviour or</b></p> <p>18 <b>language would have been highlighted on the video. So,</b></p> <p>19 <b>no, I don't --</b></p> <p>20 Q. You don't accept any of this. All right. I'm going to</p> <p>21 ask you about another document now, just to try and move</p> <p>22 on, Mr Connolly. Chair, for you, tab 30. &lt;SXP000133&gt;.</p> <p>23 It was a report, as we will see in a second, by</p> <p>24 Jon Collier for Sussex Police, who were suggesting</p> <p>25 certain features that were shown in the Panorama</p> <p style="text-align: center;">Page 149</p>	<p>1 <b>A. I think it should, yeah. At Brook House, we had a lot</b></p> <p>2 <b>of vulnerable detainees that did have mental health</b></p> <p>3 <b>issues.</b></p> <p>4 Q. Yes, quite a lot of them. Is that list complete, as far</p> <p>5 as you can recall?:</p> <p>6 "It covers; Principles of safe restraint, Medical</p> <p>7 complications", et cetera?</p> <p>8 <b>A. Yes, as far as I can recall. I think it was a 30 or 40</b></p> <p>9 <b>minute DVD.</b></p> <p>10 Q. Insofar as the training is concerned, who was the</p> <p>11 medical DVD delivered by? In other words, who presents</p> <p>12 the medical DVD?</p> <p>13 <b>A. We did.</b></p> <p>14 Q. You. So not a doctor?</p> <p>15 <b>A. No.</b></p> <p>16 Q. No-one medically trained?</p> <p>17 <b>A. No.</b></p> <p>18 Q. No-one trained in emergency medicine or anything like</p> <p>19 that?</p> <p>20 <b>A. No.</b></p> <p>21 Q. Certainly no psychologist or psychiatrist?</p> <p>22 <b>A. No.</b></p> <p>23 Q. Should it?</p> <p>24 <b>A. Hindsight, probably. If you'd had one of the nurses</b></p> <p>25 <b>there, but then, again, I don't know how qualified they</b></p> <p style="text-align: center;">Page 151</p>
<p>1 documentary. This is 6 February 2018. Go to page 3.</p> <p>2 You will see paragraph 9. He is talking about training.</p> <p>3 One of the things he says is:</p> <p>4 "A medical DVD is shown to all staff prior to all</p> <p>5 [use of force] training. It covers; Principles of safe</p> <p>6 restraint, Medical complications of restraint, Mechanics</p> <p>7 of breathing, Restraint asphyxia, medical conditions &amp;</p> <p>8 risk factors, medical emergencies. Of particular note</p> <p>9 is the advice - Restraint Asphyxia can result from any</p> <p>10 restraint position where there is obstruction of</p> <p>11 the airway or where movement of the rib cage or abdomen</p> <p>12 is limited. Anything that holds the mouth closed or</p> <p>13 compresses the neck is potentially dangerous. NEVER</p> <p>14 hold a prisoner around the neck."</p> <p>15 Which, of course, is an important instruction when</p> <p>16 we consider events on 25 April. Do you recognise the</p> <p>17 medical DVD Mr Collier is talking about?</p> <p>18 <b>A. I do, yes. That came into play when MMPR came in.</b></p> <p>19 Q. So we are talking about 2015?</p> <p>20 <b>A. Something like that, yes.</b></p> <p>21 Q. Mr Collier's list of what the training covers doesn't</p> <p>22 include, will you agree, vulnerabilities relating to</p> <p>23 mental illness, self-harm or trauma?</p> <p>24 <b>A. No, it doesn't.</b></p> <p>25 Q. Do you think it should?</p> <p style="text-align: center;">Page 150</p>	<p>1 <b>would have been to have actually given that.</b></p> <p>2 Q. One of the points, Mr Connolly, that may not have struck</p> <p>3 you but it is a question we have asked others, other</p> <p>4 officers, is, how were they able to spot the difference</p> <p>5 between a mentally ill detainee and a detainee who was</p> <p>6 simply disruptive?</p> <p>7 <b>A. Mmm.</b></p> <p>8 Q. Not without a level of training or assistance?</p> <p>9 <b>A. Yes.</b></p> <p>10 Q. And even then, it might be difficult?</p> <p>11 <b>A. It would be, yes.</b></p> <p>12 Q. But at least it would be a start?</p> <p>13 <b>A. Yes.</b></p> <p>14 Q. Insofar as the training you gave locally, so the</p> <p>15 training you gave at Brook House, was there any</p> <p>16 oversight or any quality assurance to what you were</p> <p>17 doing? In other words, did anybody sit in from time to</p> <p>18 time or did anybody ask you to provide them with</p> <p>19 a package of what training you were giving those</p> <p>20 officers, or were you simply left to your own devices?</p> <p>21 <b>A. No, no, we had a set format. We had a -- we had systems</b></p> <p>22 <b>of work, we had a raft of packets -- each detainee had</b></p> <p>23 <b>its own little mini -- each officer had his own little</b></p> <p>24 <b>mini-folder, and we would annotate the training they</b></p> <p>25 <b>did, how they got on. So it was a tick box.</b></p> <p style="text-align: center;">Page 152</p>

1 Q. So a feedback?

2 **A. Yes. As well, if -- in an inquiry or anything like**

3 **this, we could produce that form, did he -- was he**

4 **trained in handcuffs? Yes, on this date. Was he**

5 **trained in restraint? Yes, this date.**

6 Q. That's fine, so far as it goes, but was your training

7 ever, as it were, inspected? Did anybody come along and

8 sit down and watch John Connolly give the training?

9 **A. Yes, I think when the senior management got bored with**

10 **sitting in their office --**

11 Q. But that's informal because perhaps they just wanted

12 a bit of light relief?

13 **A. Yes, that was it.**

14 Q. But I'm talking about more formal --

15 **A. No.**

16 Q. -- by anybody who knew what they were doing. Say

17 somebody from Kidlington or one of the higher level

18 instructors come down from Kidlington and watch

19 John Connolly give the instruction that they had

20 instructed you in?

21 **A. We did have -- apparently, we did have a national**

22 **instructor allocated for the centres at Kidlington.**

23 Q. You say "apparently".

24 **A. We never saw them.**

25 Q. Yes.

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1 **A. They sort of, you know, come down just to see the**

2 **training room, check our records.**

3 Q. That's another issue. The facilities, for example.

4 Were there facilities, I mean for practical exercises?

5 **A. Yes.**

6 Q. We have been told there was a special room, I think, at

7 Brook House where the control and restraint training was

8 given?

9 **A. It was half of the changing room. It had been boarded**

10 **and matted out and we spent £6,000 on a foam cell that**

11 **you could pull the walls down and make it how you**

12 **wanted.**

13 Q. I see. Do you think the training facilities were

14 adequate?

15 **A. Yes, because we argued that the maximum we could ever**

16 **have in that room was 15, because you worked it out as**

17 **6 metres -- or 2 metres square per three officers.**

18 Q. Yes.

19 **A. Well, one officer was on the floor practising. So we**

20 **deemed that 15 was the maximum we could use in that**

21 **room. Sometimes senior management tried to put pressure**

22 **on us because there was too many on the course, on the**

23 **initial course, but we just said you have to split the**

24 **course because we are not budging on the 15 that we ...**

25 Q. Two things. The room you're talking about with the

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1 number of officers, are you talking about the little

2 cell-type room that was created padded or the overall

3 training facility?

4 **A. I'm talking about the overall training matted area.**

5 Q. Looking at this room?

6 **A. Looking at this room, from -- say, from where that lady**

7 **is sat there.**

8 Q. So behind the transcriber, yeah.

9 **A. To that wall and probably down to that row of gentlemen**

10 **there, probably there.**

11 Q. I think I know which gentlemen you're referring to.

12 **A. Sorry.**

13 Q. That's all right. There are some gentlemen there

14 anyway. Thank you, Mr Connolly. So we have an idea of

15 the size of the room. What was the pressure that

16 management put on you?

17 **A. They would have liked every officer to have passed the**

18 **control and restraint.**

19 Q. What does that mean? What do you mean they would like

20 every officer to have passed it? What does that mean?

21 **A. If we thought we had a borderline case, we'd raise that**

22 **with the training manager.**

23 Q. Who was the training manager?

24 **A. At the time -- was it Michelle Brown? I'm not sure.**

25 Q. Right. Michelle Brown.

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1 **A. We'd leave it with them. But if a person was -- not**

2 **dangerous, but they hadn't picked up the techniques,**

3 **we'd recommend that they would pass that ITC, they would**

4 **have no detainee contact until they took another week's**

5 **control and restraint training. So that means they'd**

6 **either work in visits or the gatehouse, but they'd have**

7 **no contact with detainees.**

8 Q. What was the particular pressure that management

9 exerted? I don't understand the pressure that you're

10 talking about. What did G4S want that they didn't

11 always achieve in terms of training individuals?

12 **A. They wanted bums on the shop floor.**

13 Q. So, what, the people they'd recruited, they wanted to be

14 able to do the job?

15 **A. Yeah, because there was never enough officers on the**

16 **shop floor.**

17 Q. So it was an understaffing issue. Did that mean they

18 wanted those officers -- I mean, let me think about it

19 another way. If they didn't get through their control

20 and restraint part of the course but they passed

21 everything else, did they become DCOs?

22 **A. They could, but they wouldn't -- they couldn't actually**

23 **have detainee contact.**

24 Q. So that was a complete waste of time?

25 **A. Yes.**

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39 (Pages 153 to 156)

<p>1 Q. They couldn't go on the residential wings?</p> <p>2 A. No.</p> <p>3 Q. They couldn't certainly go on E wing?</p> <p>4 A. No.</p> <p>5 Q. So they couldn't do much else?</p> <p>6 A. No.</p> <p>7 Q. Work in reception perhaps?</p> <p>8 A. That's it.</p> <p>9 Q. And that's it. So G4S were investing in people, and if</p> <p>10 the people that they invested in couldn't do the job,</p> <p>11 and if they couldn't do the job because they didn't get</p> <p>12 through a critical part of the course, it was a waste of</p> <p>13 resource?</p> <p>14 A. Yes.</p> <p>15 Q. Did that pressure ever translate into you or anybody</p> <p>16 else passing people who should not have been passed?</p> <p>17 A. No.</p> <p>18 Q. What was the attrition rate, do you think, of officers</p> <p>19 whom you had to bin, as a percentage?</p> <p>20 A. In my time as an instructor ...</p> <p>21 Q. Roughly?</p> <p>22 A. Two, three, probably, at least.</p> <p>23 Q. Two, three people?</p> <p>24 A. Yes.</p> <p>25 Q. Per year, per month, per what? Per course?</p> <p style="text-align: center;">Page 157</p>	<p>1 security at the time, approached me down at</p> <p>2 Tinsley House and said, would I be interested in going</p> <p>3 for the job of coordinator.</p> <p>4 Q. Pause there. In your statement, your first statement,</p> <p>5 right at the foot of the first page, but it is part of</p> <p>6 paragraph 3:</p> <p>7 "In 2012, I relocated to Brook House and took up the</p> <p>8 post of control and restraint coordinator."</p> <p>9 You told us a little earlier it was 2011?</p> <p>10 A. Sorry about that.</p> <p>11 Q. Don't worry. Nobody is going to bother overmuch about</p> <p>12 that. What you say is:</p> <p>13 "... took up the post of control and restraint</p> <p>14 coordinator for all use of force incidents that occurred</p> <p>15 at either Tinsley House or Brook House. I investigated</p> <p>16 and reported my findings to the director of Gatwick IRCs</p> <p>17 and, if needed, to the Prison Service or the</p> <p>18 Professional Standards Unit (the PSU).I was also</p> <p>19 instrumental in the introduction of body-worn cameras</p> <p>20 for both operational officers and healthcare staff at</p> <p>21 both sites."</p> <p>22 What was the job of being a coordinator? Maybe that</p> <p>23 gives us a few clues, but what was the job?</p> <p>24 A. I had to ensure that officers were in ticket, as it</p> <p>25 were, they'd had their refreshers every year. I liaised</p> <p style="text-align: center;">Page 159</p>
<p>1 A. That was it.</p> <p>2 Q. What are you talking about? Ever?</p> <p>3 A. Ever. I started training between 2010 and 2017 when</p> <p>4 I left, seven years, probably about three people.</p> <p>5 Q. Right.</p> <p>6 A. That I know, myself, personally.</p> <p>7 Q. Do you think -- this is a really difficult question,</p> <p>8 Mr Connolly, and I realise that in asking it, but do you</p> <p>9 think you were ever, as it were, subconsciously biased</p> <p>10 to putting people through because of the pressure the</p> <p>11 company put on you?</p> <p>12 A. No.</p> <p>13 Q. Never?</p> <p>14 A. Never.</p> <p>15 Q. So as far as you're concerned, you retained your</p> <p>16 objectivity throughout?</p> <p>17 A. Yes.</p> <p>18 Q. You never passed somebody, even if they were borderline,</p> <p>19 rather than fail them?</p> <p>20 A. No. Never.</p> <p>21 Q. In your witness statement, you also talk about a post</p> <p>22 you took up in 2012 as a coordinator. Do you remember</p> <p>23 talking about being a coordinator, a control and</p> <p>24 restraint coordinator?</p> <p>25 A. Yes, Wayne Debnam, who was head of health and safety and</p> <p style="text-align: center;">Page 158</p>	<p>1 with the training manager to sort out the control and</p> <p>2 restraint instructors for refreshers or the ITC. Any</p> <p>3 use of force report landed on my desk. I read it, wrote</p> <p>4 a report about it and handed that to Ben Saunders or</p> <p>5 Steve Skitt via Wayne Debnam, who was my direct boss.</p> <p>6 Q. Was that routine? First of all, did you see every</p> <p>7 single use of force report?</p> <p>8 A. Yes.</p> <p>9 Q. Did you write a report on every use of force report --</p> <p>10 A. Yes.</p> <p>11 Q. -- to your senior?</p> <p>12 A. Yes.</p> <p>13 Q. What was the purpose of your report to Mr Saunders?</p> <p>14 A. To ensure that the use of force -- or the officers that</p> <p>15 were using the use of force were using the correct</p> <p>16 techniques; the use of force was lawful, in the first</p> <p>17 instance, and was it proportionate to the circumstances.</p> <p>18 Yeah.</p> <p>19 Q. Presumably, in some cases, you said, "Everything is</p> <p>20 fine", and in other cases you said not so fine?</p> <p>21 A. Yes.</p> <p>22 Q. Did that involve you also looking at any available CCTV</p> <p>23 or body-worn or hand-held camera footage?</p> <p>24 A. If it was, yes. If footage was there, back in 2013,</p> <p>25 a guy called Dave -- I can't remember the guy's name.</p> <p style="text-align: center;">Page 160</p>

40 (Pages 157 to 160)



1 **It was in the reception area. He initiated a use of**  
 2 **force on a detainee, which was totally, totally, totally**  
 3 **unacceptable. I put that in the report and handed it to**  
 4 **Ben Saunders, and that guy lost his job.**  
 5 Q. So if you had provided a negative report on an  
 6 individual, or individuals, involved in any use of  
 7 force, and it went up to Ben Saunders, did he have  
 8 a range of options available to him?  
 9 **A. Not really. The only option he could have was -- if it**  
 10 **was a bad one, or it didn't look so good, then the only**  
 11 **option he had was go to the PSU.**  
 12 Q. He had the option, presumably, of sacking someone if it  
 13 amounted to a sufficient level of misconduct,  
 14 presumably?  
 15 **A. Well --**  
 16 Q. When would he send it up to the PSU?  
 17 **A. The thing about that is, Ben Saunders, again, was -- he**  
 18 **was an instructor at Medway.**  
 19 Q. Yes.  
 20 **A. On the young offenders between 12 and 17.**  
 21 Q. Yes.  
 22 **A. I think he took his C&R initial course 2016 or something**  
 23 **like that.**  
 24 Q. Yes.  
 25 **A. So although he knew the law, he didn't know the**

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1 **techniques.**  
 2 Q. Right.  
 3 **A. So he couldn't really --**  
 4 Q. So he couldn't --  
 5 **A. -- comment on a --**  
 6 Q. I see. So if there was an issue about a technique that  
 7 was used and you had said, "This technique should not  
 8 have been used", rather than adjudicate it upon himself,  
 9 he would send it up to the PSU, would he, to adjudicate  
 10 on the control and restraint used in a particular  
 11 incident? Is that what you are telling us?  
 12 **A. Yeah, because he -- if it was that serious, then the**  
 13 **director couldn't have dealt with it. It would have to**  
 14 **go Home Office way.**  
 15 Q. All right. In your second witness statement, at  
 16 paragraph 23(a), you say that when the position of C&R  
 17 coordinator was made redundant -- you're talking here  
 18 about reviews -- they were conducted by a DCM who was  
 19 also a C&R instructor. You weren't a DCM, "so  
 20 I wouldn't have taken part in reviews". First of all,  
 21 the reviews are the reviews you are talking about? Are  
 22 these the reviews you have been telling us about --  
 23 **A. Yes.**  
 24 Q. -- that you were doing while you were a coordinator? We  
 25 have seen, for example, documents written out by

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1 Steve Webb --  
 2 **A. Yes.**  
 3 Q. -- which call themselves review meetings, use of force  
 4 review meetings. Were there meetings, ever?  
 5 **A. The use of force review meetings --**  
 6 Q. The tick-box-type documents?  
 7 **A. I think he's talking about when force had been used on**  
 8 **a detainee, then I think -- I'm not sure, because**  
 9 **I wasn't that high up. I think that was the ones where**  
 10 **they actually sat down with the detainee and chatted to**  
 11 **him.**  
 12 Q. That's what you think. Okay. As far as you're  
 13 concerned, though, the review exercise you did was just  
 14 you by yourself. It wasn't a meeting with anyone. Or  
 15 did you have meetings with detainees as well?  
 16 **A. I think, towards the end of my tenure as a control and**  
 17 **restraint coordinator, I did have -- I did go in with**  
 18 **a DCM and chat to officers -- detainees that had force**  
 19 **used on them.**  
 20 Q. When was the coordinator position stopped? You say you  
 21 were made it in 2012?  
 22 **A. '15, '16.**  
 23 Q. Why was that?  
 24 **A. They needed money to fund the ACDC coordinator's role.**  
 25 **So it was, like, "Well, we don't need a coordinator now,**

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1 **but we do need an ACDC coordinator", which I could**  
 2 **understand.**  
 3 Q. What's an ACDC coordinator?  
 4 **A. It was self-harm and the welfare of detainees.**  
 5 Q. Right. So they weren't prepared to have both --  
 6 **A. No.**  
 7 Q. -- coordinators, so your job went?  
 8 **A. (Witness nods).**  
 9 Q. You weren't a DCM, so you couldn't take it over. So,  
 10 what, you just went back to local instructor?  
 11 **A. It just got farmed out to all the other C&R instructors**  
 12 **in the centre, but all of them were DCMs, apart from me.**  
 13 Q. As I just read, you say you were instrumental in  
 14 bringing body-worn cameras into the centre; yes? In  
 15 your experience, were they used appropriately?  
 16 **A. Yes, they were.**  
 17 Q. Were they always switched on, always activated, when  
 18 they should have been?  
 19 **A. If there was -- say it was a first response, where an**  
 20 **officer who had a body-worn camera was notified that**  
 21 **there was an incident going on, then his first job would**  
 22 **be to switch the camera on as he was going so he could**  
 23 **give a running commentary as to the lead-up to the**  
 24 **restraint. Yeah. Yeah, they're always on if there was**  
 25 **an incident.**

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41 (Pages 161 to 164)

1 Q. One question about the Nationals: who was responsible  
2 for calling them in?  
3 **A. For ... ?**  
4 Q. To take over. Who was responsible for it?  
5 **A. If there was an incident, you mean?**  
6 Q. Yes.  
7 **A. If there was an incident, I think the control room would**  
8 **call the duty manager, even if he was at home, or the**  
9 **director, if it was day time, and then the director**  
10 **would obviously view the situation and, if it warranted**  
11 **it, if you couldn't take control of the area inside the**  
12 **detention centre, then he would make the call and call**  
13 **the Nationals.**  
14 Q. Tell me this, did you feel -- I'm going to jump from  
15 topic to topic now to try to get through your evidence  
16 this afternoon. One of the complaints we have heard  
17 from more than one witness is that the same people were  
18 always used for C&R. Do you recognise that? Others --  
19 some people just didn't want to do it and, therefore,  
20 the same people got called upon the whole time?  
21 **A. The DCMs, the duty DCMs, the Oscar 1, if you want to**  
22 **call them, if there was an incident, they, rightly or**  
23 **wrongly, would pick who they decided was the best person**  
24 **for the job.**  
25 Q. Right.

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1 **A. Now, I had a database when I was control and restraint**  
2 **coordinator. I took it upon myself to make a database**  
3 **to see how many people were actually doing control and**  
4 **restraint and how many people weren't. And there was**  
5 **a pattern of certain officers were picked. And chatting**  
6 **to them quietly, some of them were a bit miffed.**  
7 Q. Miffed at ...?  
8 **A. They were being picked all the time. Some of them,**  
9 **absolutely -- I'll be honest, some of them absolutely**  
10 **loved it. I don't know why, but --**  
11 Q. Think about who absolutely loved it.  
12 **A. Darren Lunn, L-U-N-N, he was down E wing.**  
13 Q. Who else?  
14 **A. There was a guy called Shaun Nicholls.**  
15 Q. Who else?  
16 **A. I can't remember his name.**  
17 Q. Let me ask you some names, and I'm not going to suggest  
18 whether they did or they didn't, but I just want your  
19 help. Yan Paschali? Do you remember training him?  
20 **A. Yes.**  
21 Q. Was he a lover or hater of it?  
22 **A. He was a lover.**  
23 Q. Derek Murphy? Was he a lover or a hater of it? Did you  
24 train him?  
25 **A. I did train Derek, yes. I don't think he was a lover,**

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1 **but, yeah, he -- if asked, he'd do it.**  
2 Q. Did either of them complain to you, "Why am I always  
3 being picked?"  
4 **A. Not to me, no, personally.**  
5 Q. Did you know whether either of them complained to  
6 anybody else? Do you know, from your own experience?  
7 **A. No, I don't know, sorry.**  
8 Q. In your first witness statement, if you care to look at  
9 that, at paragraphs 8 and 9, but really 9 at the top of,  
10 I think, your page 15, you say:  
11 "During the above period ..."  
12 And the period you were dealing with there  
13 was December 2016 to March 2017:  
14 "During the above period, relationships between  
15 staff and detainees were at breaking point. Officers  
16 were having to deal with more and more medical  
17 emergencies on their own as the medical team were  
18 elsewhere dealing with another emergency. Drug taking  
19 was off the scale. Rumours started to circulate that  
20 someone working at Brook House was bringing spice,  
21 bringing in spice. I don't know if anyone was caught.  
22 Also spice was being intercepted on a regular basis in  
23 ... reception ... and through the visits."  
24 Did that mean if healthcare were taken off elsewhere  
25 that officers with no medical training were actually

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1 being asked to deputise for healthcare staff?  
2 **A. They weren't being asked, they had to. It was a case**  
3 **of, it was there, it was in front of you, you had to**  
4 **deal with it.**  
5 Q. Clearly, the custodial staff didn't have clinical  
6 training or expertise. It stands to reason.  
7 **A. Basic first aid, that was it.**  
8 Q. Yes. Custodial staff being asked to respond to serious  
9 self-harm incidents, alone, with no informed medical  
10 input; yes? Given these demands, particularly during  
11 the period you mention in your statement, did staff  
12 either become resentful, or even complacent, in respect  
13 of responding to self-harm incidents? In other words,  
14 did it become so "same old, same old" that they lost all  
15 perspective of what they were dealing with?  
16 **A. I think it was more frustration at the time.**  
17 **Frustration and anger that -- it was so -- it was**  
18 **happening so often, so frequently, that it was just --**  
19 **yeah.**  
20 Q. From your experience there, Mr Connolly, was there  
21 a culture of disbelief amongst staff, in the sense that  
22 the default position was detainees were attention  
23 seeking and manipulative, rather than in distress?  
24 **A. No. No. As I say, it was -- when spice hit a certain**  
25 **level inside the centre, it was an absolute crazy, crazy**

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42 (Pages 165 to 168)

<p>1 environment to work in. It was -- yeah. You couldn't</p> <p>2 actually describe it unless you were there. It was --</p> <p>3 yeah. Officers were so on edge.</p> <p>4 Q. In your second witness statement, which is what we had</p> <p>5 open, if you go, please, to paragraph 24(c) on page 7,</p> <p>6 you say that no officer you worked with broke the</p> <p>7 Detention Centre Rules, "However, some did turn a blind</p> <p>8 eye". What did you mean by that? What did they turn</p> <p>9 a blind eye to?</p> <p>10 A. When Brook House first opened, detainees could go into</p> <p>11 any wing they wanted, free movement, so there was a lot</p> <p>12 of thieving going on, a lot of, say, taking of other</p> <p>13 people's belongings, so, to stop that, ID cards were</p> <p>14 issued. So if an officer was sat next to the door -- so</p> <p>15 if a detainee wanted to leave the wing, he had to</p> <p>16 produce his ID card. Some detainees would go,</p> <p>17 "I haven't got my ID, guv", an officer would go, "Okay,</p> <p>18 out you go", so he'd do whatever, go to the gym or go to</p> <p>19 the shop. In the meantime, that officer would be</p> <p>20 replaced by another officer, so the detainee comes back,</p> <p>21 knocks on the door, the officer says, "Have you got your</p> <p>22 ID card?", "No, it's in my room, guv". "You can't come</p> <p>23 in". "I wanna come in". So then there would be an</p> <p>24 altercation at the door because the first officer, as</p> <p>25 I said, turned a blind eye to the rules. That's the</p> <p style="text-align: center;">Page 169</p>	<p>1 on our course saw what they were walking into and went,</p> <p>2 "Bye, not for me".</p> <p>3 Q. Why, because it looked like a prison?</p> <p>4 A. And the way the people were treated, I suppose. But</p> <p>5 then the Home Office -- I think was Debbie Western --</p> <p>6 put a stop to that for some reason.</p> <p>7 Q. Put a stop to what?</p> <p>8 A. Show-arounds before they actually went on the initial</p> <p>9 training course.</p> <p>10 Q. Why, because it was too much of an eye opener, or you</p> <p>11 don't know?</p> <p>12 A. Don't know. Above my pay grade.</p> <p>13 Q. Tell me this before I'm going to ask the chair to break.</p> <p>14 One last topic and then we will come to some other</p> <p>15 topics, please, in the time we have available this</p> <p>16 afternoon. What do you think your attitude was to</p> <p>17 detainees, in general terms?</p> <p>18 A. Always fair. I never used bad language or derogatory</p> <p>19 language in front of a detainee. However, when us guys</p> <p>20 were on our own, we did have banter, and I'll freely</p> <p>21 admit that. But always trying to be professional.</p> <p>22 Q. The trouble with banter, even when you're with the other</p> <p>23 guys alone, out of the hearing, or you hope out of</p> <p>24 the hearing, of detainees, do you agree it leads to</p> <p>25 a culture where everybody thinks this is the norm and</p> <p style="text-align: center;">Page 171</p>
<p>1 rules I meant.</p> <p>2 Q. Any other blind eyes being turned to any other facets of</p> <p>3 life in Brook House?</p> <p>4 A. Yes, smoking in the recreational areas. You know,</p> <p>5 detainees would be smoking. It was a rule you could</p> <p>6 only smoke in your rooms because it was a nonsmoking</p> <p>7 building. So officers would walk past, a detainee would</p> <p>8 be smoking, another officer would come past, he'd put it</p> <p>9 out.</p> <p>10 Q. Why do you think it was that officers turned a blind</p> <p>11 eye? Was it for an easy life or because they just</p> <p>12 didn't have the resource to deal with it or what?</p> <p>13 A. It was the difference between flipping burgers in</p> <p>14 McDonald's one day and then being into a pressure</p> <p>15 environment the next day. You know, you just</p> <p>16 couldn't -- it -- the training was okay, but I don't</p> <p>17 think it was -- I don't know.</p> <p>18 Q. What training are you talking about?</p> <p>19 A. The initial training.</p> <p>20 Q. Not your part of the course?</p> <p>21 A. No.</p> <p>22 Q. Overall?</p> <p>23 A. When I first turned up at Brook House, before even</p> <p>24 starting the training course, they showed us around the</p> <p>25 establishment and I think two or three people that were</p> <p style="text-align: center;">Page 170</p>	<p>1 then they forget themselves in front of detainees?</p> <p>2 I mean, people can't discipline themselves, can they?</p> <p>3 A. It could have done, yeah.</p> <p>4 Q. Yes. One aspect I do want to ask you about before, as</p> <p>5 I say, I invite the chair for our 15-minute afternoon</p> <p>6 break, tab 18, &lt;SXP000120&gt; at page 8, a statement that</p> <p>7 Callum Tulley gave to the police. Did you know</p> <p>8 Callum Tulley?</p> <p>9 A. I did, yes.</p> <p>10 Q. Did you work with him?</p> <p>11 A. Briefly, yes, when I was on activities.</p> <p>12 Q. Right at the top of the page here, although your last</p> <p>13 name is misspelt:</p> <p>14 "John [Connolly] on a number of occasions has shown</p> <p>15 complete contempt and hatred towards detainees. About</p> <p>16 three shifts before I went undercover, Connolly ordered</p> <p>17 the strip search of a detainee for no real reason. He</p> <p>18 said, 'Take his fucking clothes off'. The detainee was</p> <p>19 stripped of his clothing as DCOs stood around laughing</p> <p>20 at him. He was shown no dignity. John Connolly</p> <p>21 referred to him as a 'Cunt'. This verbal abuse towards</p> <p>22 detainees was commonplace in Brook House."</p> <p>23 Was do you say about that?</p> <p>24 A. It didn't happen. Can I explain why?</p> <p>25 Q. Yes.</p> <p style="text-align: center;">Page 172</p>

1 **A. To strip search a detainee, there's certain trigger**  
 2 **points of either being involved in a fight with another**  
 3 **detainee, of either assaulting an officer, they have**  
 4 **either damaged property or they have got drugs on them.**  
 5 **So to get a strip search, you have to go to the DCM.**  
 6 **The DCM would have to go to the Home Office and**  
 7 **authorise the strip search. So could I walk onto a wing**  
 8 **and say, "Right, I need you to come with me, an**  
 9 **officer", walk onto another wing, "I need you". So**  
 10 **I get three officers off a wing that's already short.**  
 11 **Control room would see that, the DCM would see that.**  
 12 **I'd then grab a detainee and the place is in lockdown.**  
 13 **I order the officers to restrain that detainee. I'm**  
 14 **assaulting him because that's what restraint is. So the**  
 15 **other detainees would have the perfect right to jump in**  
 16 **and pull us off. So how would I get a detainee from**  
 17 **there to E wing to strip him? It wouldn't happen.**  
 18 Q. He's not talking about E wing, is he?  
 19 **A. Well, A wing, then. How could I walk a detainee in**  
 20 **locks through a wing full of 90 other detainees and they**  
 21 **would just go, "Yes, okay, boss, you carry on".**  
 22 Q. To be fair to you, he doesn't give more detail than we  
 23 see in these five lines. But you are saying,  
 24 Mr Connolly, there was no occasion when, whether you had  
 25 the permission of a DCM or not, whether circumstantially

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1 anything like this could have happened, you are saying  
 2 there was never an occasion when you said in respect of  
 3 a detainee to "Take his fucking clothes off", never said  
 4 that or words like that?  
 5 **A. Never. Never.**  
 6 Q. Never strip searched an individual with other DCOs  
 7 laughing?  
 8 **A. No. Never.**  
 9 Q. What about what he says, "John Connolly, on a number of  
 10 occasions, has shown complete contempt and hatred  
 11 towards detainees"?  
 12 **A. No.**  
 13 Q. You don't accept that?  
 14 **A. No, I don't.**  
 15 MR ALTMAN: Chair, it is almost 3.30 pm. I will ask the  
 16 chair to take a quarter of an hour break. Back at  
 17 3.45 pm, please.  
 18 THE CHAIR: Thank you.  
 19 (3.28 pm)  
 20 (A short break)  
 21 (3.48 pm)  
 22 MR ALTMAN: Can we put up on screen, please, <TRN0000085>,  
 23 please, chair, tab 26. Mr Connolly, I'm going to ask  
 24 you about certain things that you said on 17 May 2017,  
 25 and on this occasion, D275 was protesting on the

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1 netting. If we begin, please, at page 78 of this  
 2 transcript, at line 2787, you may remember a number of  
 3 you were on the stairwell for quite a time -- do you  
 4 remember, all kitted up in riot gear?  
 5 **A. Yes.**  
 6 Q. You say at 2787:  
 7 "Right, so they will come through -- we'll go out  
 8 fucking ... but anyway so we can still see what's  
 9 happening you'll be stood behind them. Happy days."  
 10 Do you remember who you were talking about? Was it  
 11 the Nationals or some other individual or individuals?  
 12 **A. I think it may have been the Nationals, actually.**  
 13 Q. And "Happy days". What's "Happy days"?  
 14 **A. I think it's just a saying I used, just like -- I didn't**  
 15 **know, just a saying I use.**  
 16 Q. What does it signify, "Happy days": something good or  
 17 something bad?  
 18 **A. Probably good, I suppose. That's black and white, yes.**  
 19 Q. Tulley says:  
 20 "OK, I'll come behind you three ... so it's like  
 21 a diamond, really, you at the front, them two behind --  
 22 then me, behind them two."  
 23 Then you say:  
 24 "But they have got him locked and walking forward,  
 25 put him down -- and 'cuff him. In a nice area. But it

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1 depends if he fucks about, he's going to get 'cuffed  
 2 there and then. Yeah. Maybe I'll cuff him ... Hey?  
 3 I'll go kick the fucker out, you know, he's saying, aw,  
 4 if you lay hands on, he's going to do this, do that --  
 5 and the other. Well, there's not really much we can  
 6 really do about it. Fuck it. Fuck 'em. Christmas time  
 7 we can fucking buzz 'em."  
 8 First of all, it is all a bit coarse language,  
 9 isn't it?  
 10 **A. Yes, it is, I'm afraid.**  
 11 Q. Why? What was the need for using all of that language?  
 12 It's not really banter, is it? It's coarse language  
 13 emphasising the use of force, isn't it? It's like  
 14 pumping people up, isn't it?  
 15 **A. It probably is, yes.**  
 16 Q. What was "Christmas time"? Was it the same as "Happy  
 17 days"?  
 18 **A. Yes.**  
 19 Q. Same idea?  
 20 **A. Yes.**  
 21 Q. So a good thing. Do you accept, Mr Connolly, when you  
 22 look back at this kind of language, it creates  
 23 a perception, doesn't it, amongst colleagues who looked  
 24 up to you as one of the instructors, that use of force  
 25 is a positive?

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44 (Pages 173 to 176)

<p>1 <b>A. Yes, it wasn't appropriate.</b></p> <p>2 Q. So, for example, if we go back in this transcript to</p> <p>3 page 24, so to an earlier time, but during the same</p> <p>4 event, on page 24, at the top, you see somebody is</p> <p>5 talking about the Nationals, and then, at lines 839 and</p> <p>6 840, talking about something happening at half six in</p> <p>7 the morning:</p> <p>8 "Fucking dogs and all. It's funny as fuck because</p> <p>9 they are all queued up outside of the building. Nobody</p> <p>10 has to drive."</p> <p>11 Then at 845:</p> <p>12 "You don't want them ... staying all the way. Got</p> <p>13 a feeling that front line will go on the top. Kick the</p> <p>14 door open, flash bangs went in, stun grenades ...</p> <p>15 Fucking, battering the fuck out of him. It's fucking</p> <p>16 brutal."</p> <p>17 Clearly you were talking about another event because</p> <p>18 Tulley says:</p> <p>19 "Was this the riot in 2009?"</p> <p>20 And you say at 852:</p> <p>21 "Yeah, fucking brutal. Funny as fuck. I got right</p> <p>22 down the [something] with some fucking Jamaicans ... So</p> <p>23 I went, 'Are you coming down?'."</p> <p>24 And you covered your mouth to muffle your speech:</p> <p>25 "What? No. What? Send the dogs in. Fucking dogs</p> <p style="text-align: center;">Page 177</p>	<p>1 Q. Which riots?</p> <p>2 <b>A. When Brook House lost control, I think in 2009.</b></p> <p>3 Q. Right. So it was based on fact, not fiction?</p> <p>4 <b>A. Fiction.</b></p> <p>5 Q. Well, you said there was a riot at Brook House in 2009?</p> <p>6 <b>A. Yes.</b></p> <p>7 Q. So that was a fact?</p> <p>8 <b>A. Yes, it was.</b></p> <p>9 Q. But you're saying you're making up a story around it,</p> <p>10 what, involving you in it?</p> <p>11 <b>A. Yes.</b></p> <p>12 Q. Are you putting yourself in this story?</p> <p>13 <b>A. Yes.</b></p> <p>14 Q. Is that what you're doing?</p> <p>15 <b>A. Yes.</b></p> <p>16 Q. But why? Why is a grown man doing that?</p> <p>17 <b>A. Just passing the time of day. I know.</b></p> <p>18 Q. You can pass the time of day by playing a game of cards</p> <p>19 or something?</p> <p>20 <b>A. Could do. I agree.</b></p> <p>21 Q. But, instead, you decide, you tell us, to fictionalise</p> <p>22 an account which is based on fact but puts you in it as</p> <p>23 perhaps the hero of the story?</p> <p>24 <b>A. Probably, yeah.</b></p> <p>25 Q. You don't think, though, that if other officers believed</p> <p style="text-align: center;">Page 179</p>
<p>1 in. Fucking chewed him. Call the dogs out. He was</p> <p>2 like moaning and groaning. I go like, 'Are you coming</p> <p>3 out?'."</p> <p>4 Again you covered your mouth:</p> <p>5 "Send the dogs in again. Got him out ... central</p> <p>6 staircase, across the top, down the central staircase.</p> <p>7 Happy days, eh? That was sick. Dog handlers were</p> <p>8 fucking whipping dogs and fucking getting them mad."</p> <p>9 What was that all about?</p> <p>10 <b>A. Tall stories.</b></p> <p>11 Q. It was a tall story?</p> <p>12 <b>A. Yes.</b></p> <p>13 Q. Everybody seems to want to tell tall stories,</p> <p>14 Mr Connolly.</p> <p>15 <b>A. Well, with five hours sat in the stairwell. It was --</b></p> <p>16 <b>yeah.</b></p> <p>17 Q. So, wait, all of this was a fiction?</p> <p>18 <b>A. Yes.</b></p> <p>19 Q. The whole thing? You made it up?</p> <p>20 <b>A. Yes.</b></p> <p>21 Q. On the spot?</p> <p>22 <b>A. Yes.</b></p> <p>23 Q. Dogs?</p> <p>24 <b>A. Yeah, it was -- it was stories I'd heard from what</b></p> <p>25 <b>happened on the riots.</b></p> <p style="text-align: center;">Page 178</p>	<p>1 what you were saying -- if other officers didn't regard</p> <p>2 it as a tall story or a fictionalisation, but thought</p> <p>3 that "This is John Connolly, an instructor, telling us</p> <p>4 the truth", that they would think glorifying violence is</p> <p>5 fine? "That's what he's doing. If he can glorify</p> <p>6 violence, there's nothing wrong with it?"</p> <p>7 <b>A. You could say that.</b></p> <p>8 Q. Why were you doing it?</p> <p>9 <b>A. Boredom, probably. Five hours sat in a stairwell.</b></p> <p>10 <b>That's all I can put it down to.</b></p> <p>11 Q. Do you see what I'm saying?</p> <p>12 <b>A. I can do, yes.</b></p> <p>13 Q. It leads to this contagion of toxicity within the</p> <p>14 establishment, doesn't it?</p> <p>15 <b>A. Yes.</b></p> <p>16 Q. In your second witness statement, the man who was on the</p> <p>17 netting, you will remember you referred to even in your</p> <p>18 witness statement as an "idiot"?</p> <p>19 <b>A. Yes.</b></p> <p>20 Q. And you said he was an idiot because he was acting like</p> <p>21 one?</p> <p>22 <b>A. Yes, in my mind.</b></p> <p>23 Q. In your mind, although he was vulnerable?</p> <p>24 <b>A. Yes.</b></p> <p>25 Q. That didn't matter, because he was an idiot?</p> <p style="text-align: center;">Page 180</p>

<p>1 <b>A. I didn't know the full story because obviously I wasn't</b>  2 <b>on that wing.</b>  3 Q. No.  4 <b>A. So I was thrown into that and I didn't know his mental</b>  5 <b>health, I didn't know his state of mind --</b>  6 Q. But this is now. You're still calling him an idiot.  7 That's the point. This is in a witness statement you've  8 made to this inquiry.  9 <b>A. Yes.</b>  10 Q. That's my point. Apart from this pumping-up kind of  11 language which you have accepted, Mr Connolly, if we can  12 look, please, momentarily, at something entirely  13 different. For you, chair, tab 28. If we can put up on  14 screen &lt;INN000013&gt;. This is a statement of a witness  15 Shayne Munroe. Do you remember Shayne Munroe?  16 <b>A. No.</b>  17 Q. On pages 18 and 19 -- start at page 18, please.  18 Paragraph 57 at the bottom. She was asked, as many have  19 been asked, whether she was aware of any homophobic or  20 misogynistic attitudes or behaviour among staff. She  21 says at 57:  22 "I recall only one incident when I approached  23 John Connolly, the use of force instructor ..."  24 Top of the next page, please:  25 "... to speak to him about becoming a use of force</p> <p style="text-align: center;">Page 181</p>	<p>1 <b>A. I do agree.</b>  2 Q. We are going to go back to 17 May, when you were formed  3 up in these stairs for five hours, you say, with other  4 officers, and I'm going to play to you a clip which is  5 KENCOV1019 V2017051700015, clip 4. I hope the right  6 time has been identified to you, Zaynab. Has it been  7 given to you? If it hasn't, we can do things another  8 way. I was hoping that somebody had given you a time  9 for this clip that I'm about to play. Let's see how we  10 get on.  11 Can you crank it up and we will see if we can find  12 it?  13 (Video played)  14 MR ALTMAN: Just stop there for a moment, please. Can you  15 just put it up when there is some subtitling up on the  16 screen, please? Just run it forward a bit. Pause  17 there. That's fine. I'm going to take a punt on this.  18 Can you wind it forward by about five minutes, please.  19 So take it up to about 15:40 on the timestamp on the  20 left. Play it until we get some subtitling.  21 (Video played)  22 MR ALTMAN: Well, that worked. Go a little further forward.  23 See if you can identify some subtitling.  24 (Video played)  25 MR ALTMAN: Pause there. If we can just go back, please, to</p> <p style="text-align: center;">Page 183</p>
<p>1 instructor myself."  2 Do you remember this?  3 <b>A. No.</b>  4 Q. "I had enjoyed the training and I wanted to progress on  5 to escorting. I believed that being a qualified use of  6 force instructor would be a beneficial skill. John said  7 something along the lines of, this was excellent because  8 they didn't get many 'udder swingers' showing interest  9 in becoming use of force instructors so I would be  10 welcomed if I pursued it."  11 Is that a term you use, Mr Connolly, "udder  12 swingers"?  13 <b>A. I'd never use that term in front of a lady, full stop.</b>  14 Q. She said:  15 "Initially I did not have a clue what he was  16 referring to and it was only later that day that  17 I realised he was referring to female breasts."  18 She's got this from somewhere, hasn't she? Has she  19 misidentified you? Is she thinking of someone else?  20 <b>A. I'm not sure, but I will state that I never would use</b>  21 <b>that term. Never.</b>  22 Q. I mean, whoever did use that language was being  23 misogynistic?  24 <b>A. Yes.</b>  25 Q. Do you agree with that?</p> <p style="text-align: center;">Page 182</p>	<p>1 about 12, I think we will probably find it. That's  2 fine. Let's just have a look at that.  3 (Video played)  4 MR ALTMAN: Pause there, please. I'm sorry, chair,  5 I thought, obviously wrongly, that this would be cued  6 up. 04:18 is what we need to go back to. We think it  7 is 0:04:18. Let's try that, thank you. It is 14:19.  8 I'm sorry, I'm trying to follow it in the transcript.  9 THE CHAIR: No problem, thank you.  10 MR ALTMAN: Do you see there, Mr Connolly -- chair, if you  11 are following, it is on page 44 of the transcript, which  12 is &lt;TRN0000085&gt;, page 44, which is behind your tab 26.  13 THE CHAIR: Thank you.  14 MR ALTMAN: I just want you to listen to the words, please,  15 Mr Connolly, and I expect that there will be some  16 subtitling along the way. You know what is coming.  17 This is no surprise to you.  18 (Video played)  19 MR ALTMAN: I think the subtitling didn't follow the  20 language. Just go back a smidge, please, from that.  21 (Video played)  22 MR ALTMAN: Now, Mr Connolly, do you accept that you used  23 words that we see there, and you can look at the  24 transcript -- it may be easier. If we can put up on  25 screen for a moment, because I wanted to play that to</p> <p style="text-align: center;">Page 184</p>

<p>1 you, &lt;TRN0000085&gt; at page 44, and it is the top half, 2 and Callum Tulley -- there's this chat going on, and we 3 can see, at line 1471, where we managed to find that 4 part of the clip, Tulley saying: 5 "Try and de-escalate it." 6 Another male member says: 7 "Yeah." 8 "But always figure of four ...? Cool." 9 And "figure of four" is a reference to the formation 10 of the group? 11 <b>A. No, it's not.</b> 12 Q. What is it a reference to? 13 <b>A. It's an arm -- it's a de-escalation arm hold.</b> 14 Q. Arm, forgive me. Right. What is it to describe, how 15 you hold somebody? 16 <b>A. Yes, it's the MMPR. It's -- if the detainee is stood</b> 17 <b>there, then my left hand would be on his elbow and my</b> 18 <b>right hand would be on the top of his wrist and you</b> 19 <b>would guide the person that way.</b> 20 Q. You have reminded me, MMPR, Mr Connolly, I asked you 21 about that and you were telling us about it and the 22 training. So that we are clear, was MMPR a type of 23 training that was used for adults or for children? 24 <b>A. It was initially used for children. It replaced the</b> 25 <b>PCC -- Physical Control in Care -- it replaced that</b></p> <p style="text-align: center;">Page 185</p>	<p>1 <b>"Figure of four" and I go, "Just say listen here,</b> 2 <b>nigger", it just doesn't make any sense.</b> 3 Q. Well, what you had to say about this, you will remember, 4 in your second witness statement at paragraph 46: 5 "I never used racist language in front of detainees 6 and certainly never, ever encouraged others to do so. 7 The footage of myself using the word 'nigger' was in my 8 opinion dubbed. I will explain why. The alleged 9 incident occurred outside of the lift in the secure 10 corridor. The lift is directly opposite the doctor's 11 office. The door to that office is always open. It is 12 two metres away from the lift. I wear hearing aids in 13 both ears and, as a consequence, I tend to shout. 14 Tulley was the number one of the team. He asked me 15 outside of the lift, 'John, if he kicks off, should 16 I take his head?' It makes no sense whatsoever for me 17 to have replied, 'Just say listen here, nigger'. 18 I would have said, 'Yes, if he gets non-compliant, take 19 control of the head'. 20 And then you refer to this transcript: 21 "This is where the alleged foul language occurred. 22 I look at the clip of me allegedly saying, 'listen here, 23 nigger'. At no point can you see my lip. This, in my 24 opinion, was dubbed for dramatic effect." 25 Then you add:</p> <p style="text-align: center;">Page 187</p>
<p>1 <b>package because it dealt more on the medical side and</b> 2 <b>de-escalation side. And because they thought it was</b> 3 <b>a good idea, they'd integrate that into C&amp;R.</b> 4 Q. It wasn't just for Tinsley House, it was Brook House as 5 well? 6 <b>A. Yes.</b> 7 Q. There was a diversion as you mention it. So figure of 8 four, you have explained. As we see at 1474: 9 "Just say listen here, nigger. Listen to me." 10 One of the other officers laughs: 11 "Do what you are told, nigger", which prompts male 12 staff member 2 to say: 13 "Now you've got nigger in your head, you'll probably 14 say it." 15 Tulley: 16 "I fucking guarantee you, I won't ..." 17 Why do you say that, Mr Connolly? 18 <b>A. If a detainee ...</b> 19 Q. Is there any excuse for it? 20 <b>A. If an officer is asking me figure of four, I'm not going</b> 21 <b>to say, "Just say listen here, nigger. Listen to me".</b> 22 Q. What are you trying to tell us? 23 <b>A. It's like me walking into a chip shop and the guy says,</b> 24 <b>"What do you want?" and I say, "A pint of beer". If an</b> 25 <b>officer is asking me what technique to use and he says</b></p> <p style="text-align: center;">Page 186</p>	<p>1 "Both Small [Dan Small] and Tulley stated that this 2 happened in the stairwell. Well, did it happen in the 3 lift or the stairwell?" 4 Are you really being serious, Mr Connolly, that, for 5 reasons that no-one can explain, the BBC somehow 6 inserted and attributed to you the words not once, 7 "listen here, nigger", because the word "nigger", as we 8 see on the transcript appears twice attributed to you, 9 and then it is repeated by a second man. Are you 10 seriously suggesting that, for reasons of their own, the 11 BBC decided to put those words into your mouth? Is that 12 what you are telling us? 13 <b>A. The original BBC programme, if I remember correctly,</b> 14 <b>that me saying, "Listen here nigger", was in the lift.</b> 15 Q. And you think they have even changed the location, do 16 you? Well, you're not right about that, Mr Connolly. 17 We can look at it again? 18 <b>A. Okay.</b> 19 Q. But it was always in the stairwell. So when this day is 20 over and you have left us, do you want the chair to 21 remember your evidence to be that the BBC has 22 deliberately put into your mouth the word "nigger" not 23 once, but twice, for dramatic effect? 24 <b>A. No, I most probably did or most definitely did say that</b> 25 <b>in the stairwell.</b></p> <p style="text-align: center;">Page 188</p>

47 (Pages 185 to 188)

1 Q. So you most probably did or most definitely did?

2 **A. Definitely did.**

3 Q. So why have you tried to deny it?

4 **A. I'm not trying to deny it, but I watched that first**

5 **programme over and over again and I watched the second**

6 **Panorama clip on the inquiry's website. Totally**

7 **different. I may be wrong. I may be trying to --**

8 Q. Wishful thinking --

9 **A. -- convince myself I don't know.**

10 Q. Wishful thinking, perhaps, Mr Connolly.

11 **A. Okay.**

12 Q. Believe you me, if there was another clip of you using

13 that word, I would let you know. This is the only one

14 I know about.

15 **A. Okay, sir.**

16 Q. And this comes -- and this was shown, as I understand

17 it, in the Panorama programme. So we are -- to

18 understand it, despite what you said in the witness

19 statement from only the month before last, you are

20 accepting that those were your words and that the BBC

21 has not dubbed them in for dramatic effect. Is that

22 what we understand now?

23 **A. Yes, sir.**

24 Q. Why did you use that word?

25 **A. All I can say is, we were talking about a range of**

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1 **topics, I don't know. I don't know. I haven't got an**

2 **explanation for my --**

3 Q. No, because there is none.

4 **A. -- use of the word.**

5 Q. There is certainly no excuse for it, is there?

6 **A. No.**

7 Q. Once again, it's a window, potentially, into part of

8 a culture at Brook House where everything went. I mean,

9 if one is using language like this, anything goes

10 almost, doesn't it?

11 **A. You could perceive that, yes.**

12 Q. I'm not going to play this, but if we continue with the

13 transcript, please, to page 77, if we were to look at

14 the footage, do you remember a time when another member

15 of staff, an imam called Zeeshan Qayum the head of

16 religious affairs -- do you remember him?

17 **A. Yes, I do.**

18 Q. He turned up and was talking to you and the other

19 officers in the stairwell?

20 **A. Correct.**

21 Q. If you look at line 2743 on this page:

22 "Massage my arse now ... Right, now that cunt's

23 gone.

24 "Just forget figure four, go straight into locks.

25 "Right. Now that cunt's gone erm, what'll happen

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1 is, the Nationals will be behind you, they'll come up on

2 that end."

3 If one was to look at the footage, the person to

4 whom you were referring to as a "cunt", who had just

5 left, was the imam. Do you remember that?

6 **A. I don't, but it's there, so yes.**

7 Q. Why were you referring to him as a "cunt" and that, now

8 he had gone, "What will happen is, the Nationals will be

9 behind you"? What was the point? What were you trying

10 to say?

11 **A. I've got no excuse for that.**

12 Q. Of course, the man was Muslim. Did that make

13 a difference? Is that why he was a cunt?

14 **A. No.**

15 Q. No?

16 **A. No.**

17 Q. It was certainly derogatory, wasn't it?

18 **A. It would be.**

19 Q. Can we go back, please, in the transcript to 54. Can we

20 scroll it so we have the bottom half, please, Zaynab.

21 At line 1872 on the transcript, we have got you

22 saying -- it reads, "If he fucks up everything", the

23 suggestion is, actually, what you were saying is, "If he

24 fucks about, get him in there, fuck him up in the

25 corner, mash him up in the corner. You can't find

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1 a rabbit in a corner. If we fuck up, he'll fucking

2 split."

3 And:

4 "We've got to push him down with a stick on the

5 side?"

6 What were you talking about there?

7 **A. No.**

8 Q. No, what?

9 **A. "Mash up" I never use and "can't find a rabbit in**

10 **a corner", I don't know what that's about. And "push**

11 **him down with a stick on his side"?**

12 Q. Actually, if you view the footage, you see that you have

13 some sort of stick object in your hand?

14 **A. I don't.**

15 Q. No? So none of that means anything to you?

16 **A. No.**

17 Q. "And then, if he refuses ... we can shove him in there."

18 At 1884, Dan Small:

19 "Well, the fucker is going to come in there, bro.

20 I'll just ..."

21 And the transcript -- and bearing in mind these

22 transcripts were done by people who had no intimacy, as

23 it were, with the footage, other than doing their best

24 to transcribe, it says, "I'll just grab, I'll just grab

25 the cunt", and it is attributed to Dan Small when it

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48 (Pages 189 to 192)



1 should be attributed to you. But one suggestion is, and  
 2 this is a suggestion by Callum Tulley, and it is  
 3 a combination of what he has had to say and what  
 4 Dan Small has had to tell us, is that Small was so  
 5 concerned about what you were saying that he wanted you  
 6 to stop, and one way he tried to get you to stop saying  
 7 what you were saying was to indicate or gesture up to  
 8 a camera on the wall in the hope that you would pipe  
 9 down, and what Tulley remembers is your response to that  
 10 was to say, "I will just scrub", not "grab", but "scrub  
 11 the cunt", in other words, delete it. Now, you know  
 12 this because you have been told that this is the  
 13 allegation. What do you say about that, Mr Connolly?  
 14 **A. Right. I believe somebody said, "Look, boss, there's**  
 15 **a camera up there".**  
 16 Q. Yes.  
 17 **A. Everybody in Brook House called each other by their**  
 18 **first names.**  
 19 Q. Yep?  
 20 **A. The only person or the only people that called people**  
 21 **"boss" were the detainees.**  
 22 Q. Yes.  
 23 **A. That's a fact.**  
 24 Q. Yes.  
 25 **A. Why would an experienced officer like Small point to**

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1 a camera -- all right, we know what he's trying to do,  
 2 to calm me down. Fine. Why would I say I'm going to  
 3 scrub it when there is no way, technically, I could wipe  
 4 CCTV footage? Wouldn't happen. Couldn't do it. So why  
 5 would I say it?  
 6 Q. Well, an answer to that is you're making him believe  
 7 that you can?  
 8 **A. No.**  
 9 Q. In other words, you're making somebody believe that you  
 10 have got more capacity, ability, than you actually do --  
 11 **A. No.**  
 12 Q. -- to make him pipe down?  
 13 **A. He worked at the control room, so did Tulley. They know**  
 14 **that you can't -- you can't walk into the control room,**  
 15 **sit down behind the controllers, log onto the equipment**  
 16 **and then try and scrub CCTV footage. It wouldn't**  
 17 **happen. It doesn't happen. So I wouldn't say it.**  
 18 Q. Let's go to the next page before we look at the footage.  
 19 At line 1909, Tulley, having asked, "Why are we sticking  
 20 him in there?", you say:  
 21 "No, he's starting to have a little -- if he's all  
 22 right, just fucking walk him out. Walk him down this  
 23 way. Throw him down the fucking stairs. Go for it."  
 24 You don't think you said that?  
 25 **A. No.**

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1 Q. Then at 1927:  
 2 "Because otherwise, we've just got to fucking grab  
 3 him. Fucking throw him towards Dan.  
 4 "Yeah.  
 5 "We've fucking got him here."  
 6 And another staffer says:  
 7 "And then, get his arms and pin him."  
 8 You say:  
 9 "I guess the fucker is trying [something] do it."  
 10 Then male staff 1 says:  
 11 "Yeah. Are there cameras?"  
 12 So if that person is the same person as Dan Small  
 13 asking the same question:  
 14 "It doesn't matter. Fuck it. That's my  
 15 justification. Fucking stairs.  
 16 "We can't be fighting him on top of the stairs."  
 17 Do you accept saying those words?  
 18 **A. I accept saying we can't fight him on the top of**  
 19 **the stairs. I accept that.**  
 20 Q. And then Tulley says:  
 21 "I can't see any cameras there."  
 22 And you say:  
 23 "There's two."  
 24 It all lends itself, doesn't it, don't you think,  
 25 Mr Connolly, to a suggestion about how something was

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1 going to be covered up?  
 2 **A. No.**  
 3 Q. You don't think so?  
 4 **A. How can you cover it up when there's cameras there?**  
 5 **Those stairwells are covered all the way.**  
 6 Q. This seems to be the thrust of this conversation?  
 7 **A. I wouldn't order another officer to throw a detainee**  
 8 **down the stairs.**  
 9 Q. Shall we watch the footage?  
 10 **A. Yes.**  
 11 Q. And you can, if you want -- I'd rather you watched it  
 12 than looked at the transcript. It's almost certainly  
 13 subtitled, so -- I'm fairly confident it's subtitled.  
 14 So you will see the words but, in the end, it's your  
 15 evidence, Mr Connolly, we want, so we will put up again  
 16 KENCOV1019, but this time it is V2017051700016. I am  
 17 going to ask for it to be started, I think, at 13:20.  
 18 Let's see if I have got the right timestamp. Start  
 19 playing it, perhaps, at 13 -- 00:13. Just a little back  
 20 from there, please. Just at 13 dead, please.  
 21 (Video played)  
 22 MR ALTMAN: If you just go ever so slightly back to 13:20.  
 23 What I'd like you to see -- that's Dan Small with the  
 24 helmet and the visor up. He gestures up to the camera  
 25 which is on the wall which you will be able to see and

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49 (Pages 193 to 196)

<p>1 he says something along the lines, "There's a camera 2 there, boss". This isn't in the transcript because it 3 wasn't picked up. 4 <b>A. I agree with that. I saw it.</b> 5 Q. Let's just go back and listen to yourself. 6 (Video played) 7 MR ALTMAN: "I'll scrub the cunt"? 8 <b>A. I say "grab".</b> 9 Q. You think it's "grab"? 10 <b>A. Yes.</b> 11 Q. So nothing to do with scrubbing a camera? 12 <b>A. No.</b> 13 Q. That's how Callum Tulley heard it, but you say it was 14 "grab" not "scrub". What did you mean by "grab the 15 cunt"? 16 <b>A. Take hold of him.</b> 17 Q. Let's just carry on, please. Just play it through to 18 the bits I have been asking you about, then. 19 (Video played) 20 MR ALTMAN: First of all, if you want to consult the 21 transcript, let's get that back up, although we have to 22 bear in mind that part of it may not be accurate. But 23 if we put up the transcript at page 54, first of all, 24 right at the bottom: 25 "That's our justification, right?"</p> <p style="text-align: center;">Page 197</p>	<p>1 Q. You don't accept that? 2 <b>A. No, I don't.</b> 3 Q. Do you accept at 1927, you said: 4 "Because otherwise, we've just got to fucking grab 5 him. Fucking throw him towards Dan." 6 You surely heard that? 7 <b>A. I honestly can't remember. I honestly can't remember.</b> 8 Q. Then at 1930: 9 "We've fucking got him here." 10 And then you heard male staff 1, who appears to be 11 Dan Small, I think: 12 "Yeah, are there cameras?" 13 "It doesn't matter. Fuck it. That's my 14 justification. Fucking stairs." 15 "We can't be fighting him on top of the stairs." 16 You heard that, presumably? 17 <b>A. It's there. I must have said it.</b> 18 Q. Yes. It all sounds as if, you know, everybody is 19 getting geed up to become involved in a use of force 20 against this man and you're using the kind of language 21 that, do you accept, as I said earlier, is, like, 22 pumping everybody up? 23 <b>A. You've -- when you're dealing with a situation like 24 that, you don't know what's behind that door. You can't 25 have people, "Hmm, it's a nice day today. Hmm, I wonder</b></p> <p style="text-align: center;">Page 199</p>
<p>1 At 1893. 2 "We shove him in there -- these stairs." 3 Presumably, you heard that, Mr Connolly? 4 <b>A. Yes.</b> 5 Q. What did you mean by "That's our justification"? What 6 was your justification? 7 <b>A. If he started to become refractory on the top of 8 the stairs, then we'd have to put him against the side 9 of the wall and walk him down the stairs with his back 10 to the wall, sideways, one officer on the bottom, 11 pinning his arm, one officer on the top and one officer 12 on the front. That would be Tulley on the front. 13 There'd be three officers surrounding him walking him 14 down the stairs.</b> 15 Q. Yes. 1895: 16 "That's our justification. We fucking throw him in 17 that corner. You fucking deal with me. No fucking 18 corner, eh?" 19 Do you accept saying those words? Right at the 20 bottom of page 54. 21 <b>A. Well, it's there in black and white, so yeah.</b> 22 Q. Then on 55, at lines 1909 and 1910 in particular: 23 "Throw him down the fucking stairs. Go for it." 24 Do you accept you said that? 25 <b>A. No.</b></p> <p style="text-align: center;">Page 198</p>	<p>1 <b>what's behind the door". You've got to get the person 2 in a mind-set, I'm afraid. And I'm not making any 3 excuses, but you've got to get a person in -- you've got 4 to get officers in a mind-set so they're on it, they can 5 control that person straightaway and then start to 6 de-escalate: not throw them down the stairs, walk them 7 down the stairs.</b> 8 Q. But these are the words, I suggest, the footage shows 9 that you used, and do you think that these words are 10 escalating rather than de-escalating? 11 <b>A. Escalating.</b> 12 Q. Escalating. They're riling people to become involved in 13 a use of force from which it is very difficult to 14 de-escalate, don't you think? 15 <b>A. No. Once the initial contact was made, then you start 16 to de-escalate. Don't forget, the Nationals would have 17 been there as well. So how could I have thrown someone 18 down the stairs when there's actually Prison Service 19 staff there, or would be there?</b> 20 Q. Well, this is the problem, Mr Connolly: it is not so 21 much what you did do; it is what you say you're going to 22 do? 23 <b>A. Yes, I agree.</b> 24 Q. For instance, from Daniel Small's point of view, as he 25 said, you know, he was part of this restraint team. He</p> <p style="text-align: center;">Page 200</p>

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1 was not -- he said in a witness statement, and  
 2 effectively repeated in his evidence, he was not happy  
 3 to carry out the actions which he understood you were  
 4 telling him about or instructing him, and he said that  
 5 Brook House was not an environment in which you could  
 6 directly challenge a more senior officer without being  
 7 labelled a grass, and that's a reference, for the  
 8 record, to his statement <BDP000003>, page 15,  
 9 paragraph 45. He said:  
 10 "Under the pressure of the situation, my reaction  
 11 was to indicate to DCO Connolly that there was a camera  
 12 above him in the hope that he would stop talking and  
 13 abandon his plan to attack the detainee."  
 14 That's how he took it, if he was being accurate,  
 15 truthful and reliable. That's what he said.  
 16 **A. Well, the camera wouldn't have stopped me talking,**  
 17 **because the camera is just visual, not audio.**  
 18 Q. No.  
 19 **A. So that wouldn't have stopped me talking.**  
 20 Q. No.  
 21 **A. As for being a senior officer, no. I was exactly the**  
 22 **same as Dan Small. I may have had more years'**  
 23 **experience but --**  
 24 Q. He was worried -- or part of his worry was a camera  
 25 would show him being asked to attack a detainee in the

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1 stairwell. That's what his worry was. You don't accept  
 2 that?  
 3 **A. No.**  
 4 Q. Finally this, as far as I'm concerned, in view of  
 5 the time. In your first witness statement, at  
 6 paragraph 42, you said you felt you'd been stitched up  
 7 by the BBC programme. I don't know if you still feel  
 8 it, Mr Connolly, but at the time you made the statement,  
 9 how did you feel they'd stitched you up?  
 10 **A. It's probably -- I don't know. Being here now and**  
 11 **answering the questions, listening to the questions**  
 12 **posed to me, yeah, it was probably just hopefulness.**  
 13 **I don't know.**  
 14 Q. Well, you also said you knew you'd been thrown under the  
 15 bus by G4S. Do you still feel you personally have been  
 16 thrown under a bus?  
 17 **A. No.**  
 18 MR ALTMAN: That's all I'm going to ask, chair. The chair  
 19 may have some questions for you.  
 20 Questions from THE CHAIR  
 21 THE CHAIR: Thank you, Mr Connolly. You have been with us  
 22 for a long afternoon, so I will keep it brief, but I do  
 23 have one or two questions for you.  
 24 **A. Sure.**  
 25 THE CHAIR: You talked about the practice of debriefing

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1 after use of force, people writing up their reports.  
 2 I think, if I have remembered correctly, that you said  
 3 it could take 60 to 90 minutes for people to reflect on  
 4 the use of force and to then make their notes. From  
 5 memory, did that happen in practice at Brook House? Did  
 6 people have that amount of time to actually --  
 7 **A. Yes, they did, and myself and the other instructors**  
 8 **tried to ensure that happened, but some of the Oscar 1s**  
 9 **used to put pressure on us, because initially you'd take**  
 10 **four officers out of the system and they'd be sat there.**  
 11 **People would think they'd be doing nothing, but**  
 12 **obviously they'd have to calm right down first, get the**  
 13 **adrenaline out of their system before they could start**  
 14 **writing a statement of assault.**  
 15 THE CHAIR: Am I understanding correctly that -- so four  
 16 officers were taken off the unit because a planned use  
 17 of force was going to be carried out. There is nobody  
 18 to backfill those positions? It means that there are  
 19 gaps, so to speak --  
 20 **A. I think it is robbing Peter to pay Paul. I think they**  
 21 **used to take, if they had them, officers from Tinsley,**  
 22 **who were very reluctant to go to Brook House, but**  
 23 **I think that's what happened sometimes.**  
 24 THE CHAIR: You started at Tinsley, you told us.  
 25 **A. Yes.**

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1 THE CHAIR: And then moved to Brook House. Were they  
 2 different environments, Tinsley and Brook House?  
 3 **A. Chalk and cheese, yes. Tinsley House was a nice sort**  
 4 **of -- a residential unit. It was an old hotel that had**  
 5 **been turned into a detention centre. There was no**  
 6 **purpose-built gates. The gates were put onto it. Then**  
 7 **when you moved to Brook House, for all intents and**  
 8 **purposes, it was a cat C/cat D prison. It had that**  
 9 **feeling. When detainees came from prisons, they felt**  
 10 **they weren't going to a detention centre, they were**  
 11 **going to another prison.**  
 12 THE CHAIR: Other than the physical environment, were there  
 13 any other differences between Brook House and Tinsley,  
 14 in your experience?  
 15 **A. It might sound silly, but the atmosphere. It was**  
 16 **a totally different atmosphere.**  
 17 THE CHAIR: In what respect?  
 18 **A. Tinsley was a laugh and a joke. You could actually sit**  
 19 **down and talk to a detainee for two or three hours, if**  
 20 **you wanted to, because the ratio was about 22 officers**  
 21 **on a shift looking after 100, 130 detainees. At**  
 22 **Brook House, you might have three officers looking after**  
 23 **a wing of 90, with ACDTs to manage and ... yeah.**  
 24 THE CHAIR: Thank you. You also told us about the ITC, so  
 25 the initial training course, that recruits would

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1 undertake, and you talked about the C&R aspect of it and  
 2 that if recruits didn't pass that element of it that  
 3 they couldn't then have a detainee-facing role.  
 4 You might not be able to remember, and don't worry  
 5 if you can't, can you remember at what point of  
 6 the training course, the ITC course, people would carry  
 7 out the C&R aspect of the training?  
 8 **A. It all depend -- we were like poor relations. It all**  
 9 **depended what other outside agencies they could fit in.**  
 10 **If they had someone from Gatwick coming down to chat or**  
 11 **they had someone from, I don't know, another agency, it**  
 12 **could have been the first week of ITC or it could have**  
 13 **been the sixth week. It was that sort of --**  
 14 THE CHAIR: So there wasn't a rigid formula that that was  
 15 the end of the course or the beginning or the middle?  
 16 **A. No.**  
 17 THE CHAIR: Are you aware of any other elements of the ITC  
 18 that if a recruit didn't pass that they couldn't then  
 19 progress onto a role that was detainee facing, or was it  
 20 just the C&R.  
 21 **A. Nothing. It was just pass or fail on C&R.**  
 22 THE CHAIR: Thank you very much. One final question: you  
 23 talked about that you started a database on who was  
 24 actually carrying out the use of force. Can you tell me  
 25 a bit about that? Why did you start that database?

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1 What was the reason for it?  
 2 **A. When I was reading the reports, obviously on the front**  
 3 **cover it'd have the officers involved. So it's a matter**  
 4 **of -- after about six months I started, like, I got**  
 5 **a spreadsheet up and I was putting the officers who were**  
 6 **involved on that day on the spreadsheet, and again the**  
 7 **next day, or it might have been three or four or a day,**  
 8 **I don't know, but I was putting them on, and then I was**  
 9 **highlighting in red those that hadn't. And some**  
 10 **officers had been there four or five years and had**  
 11 **never, ever, ever been involved in a control and**  
 12 **restraint.**  
 13 THE CHAIR: Did you have concerns about that?  
 14 **A. I did, because -- I mentioned it to the DCMs. I said,**  
 15 **we're all trained the same, be they female or male.**  
 16 **Sometimes it was better to have an all-female team going**  
 17 **in because some of the detainees, some of**  
 18 **the nationalities, respect women more than others. So**  
 19 **if you could sort of play that hand by getting females**  
 20 **in, that would de-escalate it. But the DCOs or the**  
 21 **DCMs, they didn't want it to look bad on them that a C&R**  
 22 **had gone wrong, so they'd pick the strongest guys.**  
 23 THE CHAIR: Did you share that database with anybody within  
 24 management?  
 25 **A. No. It was just my own personal --**

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1 THE CHAIR: Was anybody aware of it, from your knowledge.  
 2 **A. I don't think so, no. No. It was just my own**  
 3 **personal --**  
 4 THE CHAIR: For your information. Those are all the  
 5 questions that I have for you, Mr Connolly. I'm very  
 6 grateful for you coming. You have been with us a long  
 7 afternoon, as I say. Thank you. I understand it is not  
 8 an easy experience. Thank you for your evidence.  
 9 **A. Thank you.**  
 10 **(The witness withdrew)**  
 11 MR ALTMAN: 10.00 am tomorrow, chair, please, start, and,  
 12 all things being equal, Charlie Francis.  
 13 THE CHAIR: Thank you very much. See you tomorrow at  
 14 10.00 am. Thank you.  
 15 (4.39 pm)  
 16 (The hearing was adjourned to  
 17 Thursday, 3 March 2022 at 10.00 am)

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