

## **BROOK HOUSE INQUIRY**

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### **First Witness Statement of Philip A Schoenenberger**

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I provide this statement in response to a request under Rule 9 of the Inquiry Rules 2006 dated 3 February 2022.

I, **PHILIP A SCHOENENBERGER**, date of birth DPA, DES Programme Office Assistant Director, employed by the Home Office at 7 Uplands Crescent Sudbury Suffolk CO101NU, will say as follows:

#### **Introduction**

1. I make this statement answering questions raised by the Brook House Inquiry.
2. In so far as the contents of this Statement are within my own personal knowledge, they are true, otherwise they are true to the best of my knowledge, information and belief.
3. The answers provided below are to the best of my knowledge and recollection, with reference to the documents noted in the Rule 9 request. Should the Inquiry wish me to consult any other documents, I would of course be able to do so if given sufficient time.
4. I would like to note at the outset that many of these questions appear to be misdirected: they do not relate to my work during the Relevant Period or otherwise. I regret that I am unable to assist the Inquiry with them. As set out below, I did not work at Brook House and had no involvement in the day-to day management of the IRCs after 1 September 2011.

## **Background**

5. I have been a civil servant since January 1986 when I joined the Prison Service. I was originally in the Home Office from July 2005 to March 2018, firstly as a Senior Executive Officer (SEO) then from March 2010 as an Assistant Director. I left the Home Office in March 2018 to join the Ministry of Justice, then returned to the Prison Service in August 2019. I have recently returned to the Home Office.
6. During my time in the Home Office between 2005 and March 2018 I held three significant roles:
  - a. From July 2005 to March 2010, I worked as an SEO looking at the recommendations from Her Majesties Inspectorate of Prisons (HMIP). During my time in this role I introduced the internet, mobile phones, and the assessment care in detention and teamwork (ACDT) self harm reduction strategy<sup>1</sup> into the detention system.
  - b. From March 2010 to September 2011, following my promotion to Assistant Director, I looked after centre teams in Campsfield and Harmondsworth as well as having oversight of health issues. This involved working alongside NHS colleagues to look at the introduction of the NHS records system, and working alongside Ministry of Justice colleagues to develop a process to access mental health beds via Ministry of Justice warrants. I also looked at allowing painkillers to be supplied in holding rooms, and upon escort, as well as ongoing health issues such as chicken pox outbreaks.
  - c. From September 2011 to March 2018, I took over as head of Detainee Escorting and Population Management (DEPMU). This was an operational role. I managed the 70 staff, including 3 SEOs, about 15 HEOs, and about 18-20 EOs, and administrative officers. DEPMU control the movement of detainees around the IRC estate, effectively managing the availability of beds. DEPMU also

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<sup>1</sup> <https://www.gov.uk/government/publications/assessing-care-in-detention-self-harm-reduction-strategy>

ensure detainees are in the best IRC for their case to be managed, court appearances to be facilitated and ultimately release or removal to be completed.

7. I did not work at Brook House at any time and was not involved in the daily management of Brook House or any IRC after 1 September 2011.
8. I have been asked to consider [HOM0332000] and provide an explanation of the Home Office teams at Brook House during the Relevant Period. I do not know this information, as it was not part of my role. I never held any management position at Brook House and had no involvement in the day-to day management of the IRCs after 1 September 2011.
9. In my role during the Relevant Period, I reported to Alan Gibson, and his predecessor.

**Bid for Contract to Run Brook House**

10. I have been asked to consider [DL0000140], in particular pages 61 to 78. I was part of a three person team tasked with evaluating the operational elements of the initial Brook House bid in 2007. At the time I was an SEO (see paragraph 6(a) above)<sup>2</sup>. The team was led by another SEO named John Thompson (now retired) and the third member of the team was Marina Enwright, an SEO at the time but now an Assistant Director within Detention Services.
11. As this took place some time ago, my memory of this process is limited. I have answered the Inquiry's questions as best as I can. We would have taken advice from the Commercial leads, and they presumably accepted our remarks and scores. I note that some criticisms were made by us of the G4S bid, particularly in relation to their staffing proposal (I do not now recall this so am relying on the document). Whether or not to allow their bid to continue would not have been a decision for us, but our

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<sup>2</sup> The witness statement of Nathan Ward [DL0000141] at page 29 suggests that at the time of the bid evaluation I was head of DEPMU, which is incorrect.

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comments set out clearly what we thought at the time, including after the clarification process.

12. All three of us marked GEO as the highest bidder in terms of operational matters, we thought they were the best choice available. The winner of the bid, G4S, did not score the highest operational marks, they won because of the finances of their bid. The commercial side of the bid was scored by others. Although the split now is very much more heavily weighted towards operational delivery and welfare, at the time it was more heavily weighted towards money (the presentation at [DL0000140], which I did not draft and which sets out the commercial evaluation, sets out the weighting of scores at [DL0000140\_0044], 50% quality, made up of 'operational delivery', 'staff' and 'maintenance', and 50% commercial). I presume that the weighting was set by the Commercial division of the Home Office, though I don't know (the same presentation says "*This split was agreed with the Procurement Board*"). We were obliged to follow the set process for awarding marks. However, any successful bidder would have to comply with all DSOs, operational instructions etc. We did not think G4S's bid was inadequate.
13. We had a scoring matrix and awarded a mark against each evaluated element within all the bids. There were a number of bids and from memory we scored GEO as the highest bid. The contract award was made in accordance with the operational scores and the financial scores; again from memory G4S won the bid based on their financial scores.
14. I have no memory of a concern being raised about staffing proposals but I assume that any views would have been captured within our consolidated marking.
15. I have been asked to consider Nathan Ward's witness statement, in particular paragraphs 83 to 89 [DL0000141]. I have no memory of seeing any comments from Nathan Ward or anyone else.

#### **Increase of Detention Capacity at Brook House**

16. I have been asked to consider a Home Office Policy Document on Increasing Detention Capacity, December 2015 [DL0000007]. I have no memory of this policy document or the increase in capacity. It would not have been anything to do with my role.

**Detention Policy**

17. I have been asked to consider DSO 03/2016 Consideration of Detainee Placement in the Detention Estate [CJS000701]:

- a. I have no memory of being involved with this DSO. I see that I was listed as the 'contact point' for this DSO – I presume this was because I was head of DEPMU, and I assume that people could have directed queries about the application of the policy to me. I was not the author, nor the 'owner' of the DSO, both of whom are listed on the first page.
- b. I am unable to advise as to whether the provisions of this DSO operated effectively at Brook House between April and August 2017, as I was working in DEPMU at this time and not directly involved in IRC policies or practices.

18. I have been asked to consider [CJS004830]. This is an individual 'Security Information Report' initiated on 1 June 2017 by Yan Paschali, who I am told was a DCO at Brook House. The report alleges that on 31 May 2017, D149 made direct threats against DCO Tulley. Further documents are attached: an email chain and a form 'Request for a detainee to be transferred into the prison estate under the protocol agreement' filled in by a 'D Robinson' on 7 June 2017.

19. My name only appears once in this PDF: on p6, as someone cc'd to an email from Ben Saunders (G4S, Centre Director) to Caz Dance-Jones, Simon Levitt, and Heenaxi Pateel. The email includes "*Simon / Heena — I'd be grateful if we could review the risk assessment carried out by DEPMU for this detainee's admission to the IRC estate please as his security file indicates a number of risks, which cause concern. Would you assist in obtaining this please.*" I do not remember this email.

I assume I was cc'd because I was head of DEPMU not as part of a request for me to personally take action. I was cc'd into a very large number of emails in this role.

### **Reception**

20. I have been asked to consider DSO 06/2013 Reception, Induction and Discharge Supplementary Guidance and Checklist [CJS000681]. The DSO is dated November 2013, and states it is to “*To provide centre supplier staff with guidance on the process for admitting, inducting and discharging a detainee from an immigration removal centre, short-term holding facility or the pre-departure accommodation.*”
21. I am unable to advise as to whether the provisions of this DSO operated effectively at Brook House between April and August 2017, as during this time I was working in DEPMU and not directly involved in IRC policies or practices. I am not named as the author, owner or contact point for the DSO.
22. I have also been asked to consider a G4S policy, Detainee Reception and Departures [CJS006045], which says on its face that it was approved by Simon Levett within the Home Office. I have also been asked to consider Detainee Admissions and Departures Brook House IRC [CJS006046], a document whose header says it is part of ‘Gatwick IRC’s Operational Instructions’. Again I see it was approved by ‘S Levett’, in 2014. As stated above, I cannot advise as to the operation of these provisions at Brook House between April and August 2017 as I was working in DEPMU during this period, and was not directly involved in IRC policies or practices. These are G4S documents, which I do not recall having any involvement in approving.

### **ACDT Policy**

23. I have been asked to consider DSO 06/2008 ACDT July 2008 [HOM002511]. I compiled the original ACDT DSO. I did this after studying the HMP ACCT process (ACCT stands for Assessment, Care in Custody and Teamwork) and having a series of meetings with their “Safer Custody” team, who assisted the Home Office with staff training and the setting up of safer detention teams within IRCs.

24. I have been asked whether the provisions of this DSO operated effectively at Brook House between April and August 2017. I am unable to answer this as I was not involved in safer detention directly at this point, as I had moved to DEPMU in 2011. Post the implementation of the ACDT process across the IRC estate I often attended local “Safer detention” meetings (something I set up as part of the ACDT process). A safer detention meeting would have been held at Brook House on a regular basis: I don’t specifically remember attending one, but that would have been the forum where an understanding of how well the process was working at Brook House would have been gained.
25. I have been asked to consider the G4S policy Suicide Prevention and Self-harm Management Policy [CJS006380] and comment on whether the provisions of the policy operated effectively at Brook House between April and August 2017. I am unable to advise on this as I was working in DEPMU at this time and not directly involved in IRC policies or practices, and as this is a G4S document. It does not say who in the Home Office approved it.

#### **Adults at Risk Policy**

26. I have been asked to comment on the Adults at Risk (AAR) policy, specifically Home Office Detention Services Order 08/2016 on Management of Adults at Risk In Immigration Detention, February 2017 v1.0. [CJS000731] and G4S’s document ‘G4S Gatwick IRCs Safeguarding Children, Adults at Risk and Vulnerable Persons Policy Statement, updated April 2017’ [CJS000540]. I have heard of but have no specific recollection of the contents of the AAR policy or its application and impact (it was not relevant to my specific role). I cannot comment on G4S’s own document. It does not say whether or not it was approved by the Home Office.

#### **Rule 35**

27. I have been asked to consider DSO 09/2016 dated 06 December 2016 in relation to Rule 35 [HOM002591]. I am unable to advise on whether this operated effectively at Brook House between April and August 2017 as I was working in DEPMU at

this time and not directly involved in IRC policies or practices. I am not named as the author, owner or contact point for the DSO.

### **E Wing Policy**

28. I have been referred to G4S's E Wing Policy [CJS006043]. I cannot comment on whether the provisions of this policy operated effectively at Brook House between April and August 2017, as I was working in DEPMU during this period. I was not directly involved in policies and practices in IRCs, and this is a G4S document.

### **Rules 40 and 42**

29. I have been referred to DSO 02/2017 Rules 40 and 42 [CJS000676], the G4S Removal from Association Policy [CJS000725] and the G4S Temporary Confinement Policy [CJS006041]. I am unable to comment on the operation of the DSO (I am not named as the author, owner or contact point for the DSO) or these policies at Brook House between April and August 2017, as I was not directly involved in policies and practices in IRCs at this time. I was working in DEPMU during this period. The two policies are G4S documents and neither confirm that they were approved by the Home Office.

<b><u>Statement of Truth</u></b>	
I believe that the facts stated in this witness statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.	
I am content for this witness statement to form part of the evidence before the Brook House Inquiry and to be published on the Inquiry's website.	
Name	Philip A Schoenenberger
Signature	<b>Signature</b>
Date	25 February 2022