

Brook House Inquiry
Report of Professor Mary Bosworth

17 November 2021

1. My experience

- 1.1. I am Professor of Criminology and Director of the Centre for Criminology at the University of Oxford, where I am also Fellow of St Cross College. I have been conducting independent, academic research inside immigration removal centres in the UK since 2009. Over this period, I have visited all the centres in the UK including Brook House. I have observed staff meetings, centre activities, and the work of some of the human rights monitors and visitor groups.¹ I have interviewed people who are detained, as well as staff who work with them. I have published a range of pieces that have drawn on this research, including a research monograph, numerous book chapters, academic journal articles, and reports.² I have spoken about my research at numerous events including some I have hosted at the University of Oxford.
- 1.2. I contributed a literature review on the impact of immigration detention on mental health to the 2016 *Review into the Welfare in Detention of Vulnerable Persons* by Stephen Shaw.³ In 2018 I produced a literature review on alternatives to detention in his follow-up review. I also co-convened an event on staff culture and contributed a paper on this topic which was included in the 2018 report.⁴

¹Of relevance to this Inquiry, I have co-authored a number of reports and a journal article with Dr Hindpal Singh Bhui from HMIP and conducted research abroad with him on human rights monitoring in detention in Greece and Hungary. He is a Visiting Professor in Law at the Centre for Criminology at the University of Oxford. Together with a colleague Ms Andriani Fili, Dr Bhui and I worked on a comparative research project on human rights monitoring of sites of detention in Europe between 2016 - 2020. In 2016, as part of that project, I observed part of one day (7/11/2016) of the HMIP inspection of Brook House, and two days of the HMIP inspection of the UK short-term detention sites in Northern France with their French counterparts (CGLPL). In 2016, I was invited to contribute to their review of the HMIP Expectations document, although my records suggest I was unable to attend the meetings. In 2018, Dr Bhui wrote a briefing paper on the HMIP Detention Monitoring Methodology for a website I run in the University which we published as part of an open access journal at the time. The document is available

here: https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3299536. In 2015, I was interviewed by Ms Kate Lampard and Mr Ed Marsden from Verita Consulting for their Independent Investigation into concerns about Yarl's Wood Immigration Removal Centre. I hosted a 'knowledge exchange' event on 'Staff Culture' with them in Oxford June 2016, to which I contributed a briefing paper. They contacted me for an interview about Brook House, but since I had not done any research there since 2011, they interviewed my then-student Mr Dominic Aitken instead. I presented my research on staff culture to the Independent Monitoring Boards' Study Day for Immigration Detention Estate on Saturday, 29th October 2016 in London. In May – June 2019, I conducted observations and interviews of staff in Brook House Immigration Removal Centre. This material formed the basis of a November 2019 briefing paper which I shared with G4S and the Home Office. See M Bosworth (2019) *Staff Culture in IRC Brook House: A briefing paper*. Oxford: Centre for Criminology.

² See, for example: M Bosworth (2014) *Inside Immigration Detention*, Oxford University Press; M Bosworth and A Gerlach (2020) *Quality of Life in Detention: Results from MQLD questionnaire data collected in IRC Gatwick (Brook House and Tinsley House), IRC Heathrow (Colnbrook and Harmondsworth), Yarl's Wood IRC, Morton Hall IRC, and Dungavel IRC: July 4 – September 20, 2019*. Oxford: Centre for Criminology.

M Bosworth and B Kellezi (2015) 'Citizenship and Belonging in a Women's Immigration Detention Centre'. In C Phillips and C Webster (Eds) *New Directions in Race, Ethnicity and Crime*. Abingdon: Routledge. pp. 80 – 96.

³ M Bosworth (2016) 'The Impact of Immigration Detention on Mental Health: Literature Review'. In *Review into the Welfare in Detention of Vulnerable Persons: A Report to the Home Office by Stephen Shaw*. London: HMSO, Cm 9186.

⁴ M Bosworth (2018) 'Alternatives to Detention: A Literature Review'. In *Assessment of Government Progress in Implementing the Report on the Welfare in Detention of Vulnerable Persons: A Follow-Up Report to the Home Office by Stephen Shaw*. Cm 9661. London: HMSO. pp. 213 – 247; M Bosworth (2018) 'Annex 10. Staff

- 1.3. In addition to the research I have conducted in detention centres in the UK, I have for many years worked with colleagues on immigration detention in Greece, where we have focused on conditions, and staff culture.⁵ I have also co-authored pieces on immigration detention in Italy,⁶ Portugal,⁷ and France.⁸ In all countries, my academic work focuses on a series of interconnected issues all of which are relevant for this report: race and gender,⁹ staff,¹⁰ and the relationship between immigration detention and the prison.¹¹ I am also interested in the nature and impact of human rights monitoring.¹²
- 1.4. To examine these matters I spend regular periods of time inside immigration removal centres where I use mixed research methods including observations, structured and unstructured interviews, as well as staff and detainee surveys, to examine detainee experiences and staff culture. The results of the surveys are shared with the private contractors and the Home Office and are freely available on the University of Oxford website Border Criminologies.¹³

culture in immigration removal centres.’ In *Assessment of Government Progress in Implementing the Report on the Welfare in Detention of Vulnerable Persons: A Follow-Up Report to the Home Office* by Stephen Shaw. Cm 9661. London: HMSO. pp. 207 – 211.

⁵ See, for example, M Bosworth, A Fili and S Pickering. (2018) ‘Women and Border Policing at the Edges of Europe’, *Journal of Ethnic and Migration Studies*. 44(13): 2182 - 2196; M Bosworth and A Fili (2016) ‘Immigration Detention in Greece and the United Kingdom’ in E. Furman, A Ackerman and D Epps (Eds) *Detaining the Immigrant Other: Global and Transnational Issues*. New York: Oxford University Press.

⁶ M Bosworth, F Esposito and A Fili (2021) ‘Accessing Justice from Immigration Detention in Greece and Italy’, in B Faedda (Ed) *Rule of Law: Strategies, Experiences, and Interpretations*. Vicenza: Ronzani Editore.

⁷ F Esposito, R Matos, M Bosworth (2020) ‘Gender, Vulnerability and Everyday Resistance in Immigration Detention: Lived Experiences of Women Detainees,’ *International Journal for Crime, Justice and Social Democracy*. 9(3): 5 - 20.

⁸ M Bosworth and M Vannier (2020) ‘Blurred Lines: Detaining Asylum Seekers in Britain and France’, *Journal of Sociology*. 56(1): 56 – 68; M Bosworth and M Vannier (2016) ‘Comparing Immigration Detention in Britain and France: A Matter of Time?’ *European Journal of Migration & Law*. 18(2): 157 – 176.

⁹ M Bosworth (2021) ‘Immigration Detention and the Production of Race in the UK’, in C. Dauvergne. (Ed.). *Research Handbook on the Law and Politics of Migration*. London: Edward Elgar.

¹⁰ M Bosworth (2016) ‘Immigration Detention, Ambivalence and the Colonial Other,’ In A. Eriksson (Ed.). *Punishing the Other*. Abingdon: Routledge, pp. 145 – 164; M Bosworth (2018) “‘Working in this place turns you racist’: Staff, Race and Belonging in Immigration Detention”, in M Bosworth, A Parmar and Y Vázquez (Eds) *Race, Migration and Criminal Justice: Enforcing the Boundaries of Belonging*. Oxford: Oxford University Press. pp. 214 – 228; M Bosworth (2019) ‘Authority and Affect in Immigration Detention’, *Punishment & Society*. 21(5): 542 – 559.

¹¹ M Bosworth (2014) *Inside Immigration Detention* Oxford: Oxford University Press; M Bosworth (2019) ‘Immigration Detention, Punishment and the Transformation of Justice,’ *Social & Legal Studies*. 28(1): 81 – 99.

¹² HS Bhui and M Bosworth, (2020) ‘Human rights protections and monitoring immigration detention at Europe’s Borders,’ *European Human Rights Law Review*. 6: 640 – 654.

¹³ On staff in IRC Heathrow see M Bosworth, A Gerlach and D Aitken, (2016) *Understanding Staff Culture at IRC Heathrow*. Oxford: Centre for Criminology; on Brook House see M Bosworth, (2019) *Staff Culture in IRC Brook House: A briefing paper*. Oxford: Centre for Criminology; for the most recent report on the MQLD see M Bosworth and A Gerlach (2020) *Quality of Life in Detention: Results from MQLD questionnaire data collected in IRC Gatwick (Brook House and Tinsley House), IRC Heathrow (Colnbrook and Harmondsworth), Yarl’s Wood IRC, Morton Hall IRC, and Dungavel IRC: July 4 – September 20, 2019*. Oxford: Centre for Criminology; all are available on <https://bordercriminologies.law.ox.ac.uk>

- 1.5. In the report below, I draw on this prior research experience plus the material shared with me as part of the Brook House Inquiry. Where applicable I also draw on criminological literature on prison staff culture and on other academic studies of immigration detention.¹⁴ This academic literature offers a frame through to which to assess the events recorded by Mr Callum Tulley in his undercover footage at Brook House in 2017, and the material provided to the Inquiry.
- 1.6. As set out in my letter of instruction, I have been provided by the Inquiry with access to material including:
- i. Professional Standards Unit investigation reports;
 - ii. Gatwick IRC Security meeting minutes;
 - iii. G4S policy and procedure documents, management reports, training documents and risk assessments;
 - iv. Publicly available reports on Brook House;
 - v. Walk through videos and plans of the physical environment of Brook House;
 - vi. Transcripts from 33 interviews conducted by Verita;
 - vii. Broadcast and unbroadcast BBC footage; and
 - viii. IMB documentation including board minutes, agenda, visit logs and complaints.
- 1.7. The topics I have been asked to examine, between April and August 2017 at Brook House are:
- i. staffing and management structure arrangements including the interrelationships between Home Office, G4S and healthcare staff.
 - ii. staff culture.
 - iii. staff oversight.
 - iv. staff support.
 - v. the appropriateness of staff induction and training, including with regard to detained persons' welfare.
 - vi. whether any aspect of the culture or management at Brook House led, or contributed, to an environment in which detained persons came to be mistreated.
 - vii. whether, and if so, to what extent, issues of gender, race and language played any part in any mistreatment of detained persons.
 - viii. whether there was a prevalence of racist attitudes/behaviours in the staff at Brook House and the effectiveness of the measures for addressing such attitudes/behaviours.
 - ix. the physical layout of Brook House and any impact which the physical environment had/has on the culture and behaviours in Brook House, both in relation to detained persons and staff.
 - x. the role of external agencies in identifying, monitoring, reporting and influencing changes in behaviour and cultures at Brook House.

¹⁴ See, for example D Aitken (2018) 'Life and Death in Immigration Detention', in A Fili, S Jahnsen and R Powell. (Eds) *Criminal Justice Research in an Era of Mass Mobility*. Abingdon: Routledge; A Hall (2012) *Border Watch: Cultures of Immigration Detention and Control*. London: Pluto Press.

Statement of Truth

I confirm that I have made clear which facts and matters referred to in this report are within my own knowledge and which are not. Those that are within my own knowledge I confirm to be true. The opinions I have expressed represent my true and complete professional opinions on the matters to which they refer.

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.

Signature

Name: Mary Bosworth

Date: 17 November 2021

2. Staff Culture at Brook House: An overview

- 2.1 In 2017, the BBC screened a selection of undercover video footage of life in Brook House Immigration Removal Centre that had been recorded by Detention Custody Officer Mr Callum Tulley during the course of his duties that year.¹⁵ In a 60-minute slot, BBC Panorama presented drug use, disorder, and staff violence. A small number of officers were shown violently restraining people and talking about them in unprofessional and derogatory ways. The detained men appeared either to be angry, dangerous and on drugs, or fearful and confused about what was happening with their immigration case. The centre, which was dirty and noisy, appeared to be barely under control.
- 2.2 In the immediate aftermath of this exposé, the company responsible for running Brook House, G4S, commissioned Ms Kate Lampard and Mr Ed Marsden from Verita Consulting to conduct an independent investigation.¹⁶ Separately, the Home Office's Professional Standard's Unit (PSU) investigated some of the 21 officers who appeared on the film.¹⁷ Within a few months, 11 members of staff had been sacked or had left. Three resigned soon after and one more person was dismissed for similar actions.¹⁸ By the end of the year, the interim Director reported in an interview with Verita, the centre had lost nearly one third of its staff.¹⁹
- 2.3 As part of this Inquiry, I have been asked to examine the matter of staff culture in Brook House with a view to explaining how the events documented by the BBC came to occur and what might be done to prevent similar events happening again. In making my assessment I draw on a wide range of evidence including additional unscreened footage gathered by Mr Callum Tulley, confidential documents shared with members of the Inquiry including internal investigations and the minutes of various meetings, published reports, governance documents, staff training materials, and unpublished interviews conducted by Verita in 2018. I also draw on a limited body of relevant academic research.
- 2.4 The evidence I have seen suggests that there were a number of intersecting factors present in Brook House in 2017 all of which contributed to the violence and disorder evident on BBC Panorama. Some of these factors were particular to Brook House at the time; others are inherent to the immigration detention system.

¹⁵ Available at: https://www.youtube.com/watch?v=_fp0QLDKgME

¹⁶ K Lampard and E Marsden (2018) *Independent investigation into concerns about Brook House immigration removal centre: A report for the divisional chief executive of G4S Care and Justice and the main board of G4S plc*. London: Verita, [CJS005923]

¹⁷ See, for example, Home Office Security Professional Standards Unit Investigation Report on D1527 by Investigating Officer Julie Galvin, 22 February 2018, [CJS001107]; Home Office PSU Investigation Report D2953 Assault Allegation, 15 February 2018, [CJS005988].

¹⁸ K Lampard and E Marsden (2018) *Independent investigation into concerns about Brook House immigration removal centre: A report for the divisional chief executive of G4S Care and Justice and the main board of G4S plc*. London: Verita, [CJS005923] p. 6.

¹⁹ Independent Investigation into Brook House - Interview with Lee Hanford (Interim Director), dated 27/11/2017, [VER000266], p. 6.

- 2.5 Some factors were more evident in certain parts of the Immigration Removal Centre (IRC), especially on E-wing, than elsewhere. Not all officers held the same views or took the same approach to their job. The staff interviews with Verita demonstrate a wider and sometimes more compassionate range of views than are presented in the footage.
- 2.6 Nonetheless, the evidence I have consulted raises significant questions about the relationship between care, trust, and security in Brook House and about the extent to which staff in Brook House treated detained people with dignity or decency.
- 2.7 The evidence suggests that the centre was not always sufficiently safe or secure and that, at certain times, the detained population were readily able to access psychoactive substances.
- 2.8 As later sections of this report will examine in more detail, staff were taught from the beginning of their training to view people in detention as risky and dangerous.²⁰
- 2.9 Other, more mundane, workplace matters like the shift patterns,²¹ pay,²² career progression and professional development,²³ staff recruitment²⁴ and systems of oversight,²⁵ as well as the material conditions and lay-out of Brook House also shaped their views and practices.
- 2.10 While my role in this Inquiry focuses on staff culture at Brook House IRC, it is impossible to write about officers without some consideration of the detained population and the wider immigration system. The unscreened footage gathered by Mr Tulley reveals widespread frustration and confusion among those who were confined in Brook House. Some men appear to be fearful, others are angry or aggressive.²⁶ Some cry,²⁷ others are

²⁰ See for example, the PowerPoint presentation labelled 'Taking Control' which has as its stated aim to prepare students for the various ways detainees may try to manipulate them, [CJS006108]. The presentation and the tutor notes 'Conditioning & Exploitation level 1' are derived from the prison service, [CJS006109].

²¹ Independent Investigation into Brook House, transcript of interview with Mr John Kench Central Detail Manager, dated 31/01/2018, [VER000227].

²² A small group of officers discuss their pay and compare it to prison staff and airport security work, [TRN0000086 pp. 9-10], see also Independent Investigation into Brook House - Interview with Owen Syred (Welfare Officer) - 11 April 2018 [VER000252], p. 18.

²³ Independent Investigation into Brook House, transcript of interview with DCM Ryan Harness on 26/03/2018, [VER000238], especially pp. 2 – 3.

²⁴ Officers complain about insufficient numbers and the high turnover of staff, commenting that it feels as though they work with "different people every day," [TRN0000029 , p.3.].

²⁵ Independent Investigation into Brook House, transcript of interview with Mary Molyneux and Gareth Jones (IMB) on 31/05/2018, [VER000237].

²⁶ Some detained men start to fight in the corridor, [TRN0000080 pp. 14-15]; During a 12-minute clip, two of the detained men complain about not being able to use the iron from the art room on the housing unit. They complain about how the officers are treating them [TRN0000029 pp. 8-11].

²⁷ A man sits on the ground in the corridor crying. A healthcare member of staff is talking to him. She advises him to get a solicitor, [TRN0000027, p.10].

suicidal.²⁸ There appear to be people present suffering acute physical²⁹ and mental health problems.³⁰

- 2.11 Some of the detained men on the footage evidently struggle to communicate with staff and appear to lack basic English language skills.³¹
- 2.12 Officers question whether one young man should have been detained at all, as they were concerned he had been misidentified as an adult.³² On another occasion officers appear to be concerned about the detention of an elderly man.³³
- 2.13 The documents and the video footage mention common immigration problems that the detained population faced in 2017: flights are cancelled when people wished to leave,³⁴ others are forced to go without sufficient time to manage their case in the UK or to say goodbye.³⁵ Still others are moved around the system far from their family members,³⁶ or have simply been living in Brook House for many months and are unsure what is happening in their case.³⁷
- 2.14 All these factors are well documented in the academic literature and form part of a wide-ranging critique of the detention system that has been made over a number of years also by former detainees, civil society groups, and in courts. They form the context within which Detention Custody Officer (DCOs) work, and the evidence presented to the Inquiry suggests that staff were not unaffected by them.

²⁸A man tells Mr Tulley that “sometimes you just feel like committing suicide.” Mr Tulley informs a wing officer, who tells him that the man had previously been placed on a ‘raised concern’ form. The officers then look for a manager. The manager asks Mr Tulley if he is concerned, to which Mr Tulley replies he is unsure. They then go and check on the man in his room and the manager decides that he is not a suicide risk after all [TRN0000079, pp. 3-5].

²⁹A man complains of pain in his side and wishes to see a doctor; a member of healthcare staff suggests paracetamol and do not take him to the doctor [TRN0000028 pp. 14-25]

³⁰ See, for example, TRN0000026, pp. 4-10, p.11; and pp. 14-19, all of which concern the same man.

³¹ In a 4-minute clip, a translator appears to be trying to explain to a man who does not speak English that he is not in prison, [REDACTED]. In a 5-minute clip staff try to help a man who appears to be in pain who does not speak any English [TRN0000031].

³² Mr Tulley asks a number of colleagues in different parts of Brook House whether they believe that a young man looks old enough to be in detention [TRN0000076, p.17, p.20].

³³ Officers discuss a 70-year old man who has been detained. “What the fuck is he doing here?” a woman DCO officer asks [TRN0000034, p.6].

³⁴ A man on E-Wing discusses with Mr Tulley his frustration at his failed removal which had been caused by a lack of travel documents from the Home Office. This same man had gone onto the netting in Brook House and had been placed in E-wing as a result, [TRN0000027, pp. 18-19]; in a 10-minute clip a detained man states that he wants to leave and is prepared to buy his own ticket, but that nobody is helping him; “I want to go. I don’t want to stay in this prison.” [TRN0000029, pp. 4-5].

³⁵ From 01:59:47 officers speak to a man (D687) who is due to be moved. The man is seated on the edge of a toilet with a ligature around his neck. Eventually the officers restrain him. At 2:14:06 he is walked out of the toilet area, [KENCOV1016 BBC000070-V2017051300011, TRN0000007].

³⁶ See for example a lengthy conversation with a detained man [TRN0000077 pp.7-8]. The failed attempt to remove this man forms this basis of the majority of 4 hours of footage. At one point, a DCO explains that the man has agreed to go once he has told his family where he is being moved [TRN0000077 p. 32].

³⁷ The man on this piece of footage mentions the lack of response from the Home Office about his case, [TRN0000029 p. 4].

- 2.15 Three pieces of footage are instructive in thinking about staff culture in Brook House in 2017. In the first clip, we see the minutes preceding the violent restraint of the young man whom the television show referred to as **D1527** (D1527).³⁸ Officers remove a ligature from his neck, then, concerned that he has tried to swallow a battery, they also confiscate items from the desk in his room. As these actions proceed, a Detention Custody Manager (DCM) and a DCO speak to him loudly and aggressively, insisting that he sit down. They call for healthcare.

At 02:51:22 on the footage from April 25, 2017, this young man starts shouting:

“I’ve asked nicely for everything... You said no... I will die here... No one help... I’ve asked nicely... with respect... Why you talking with me roughly like this?... I will die.”

The officers do not respond to his concerns. They stay silent before speaking to him loudly once again. A few minutes later they restrain him.

- 2.16 Two months later, on the 30th of July 2017, a man on E-Wing stands in the doorway to his room screaming:

“I gave you all my fucking documents weeks ago. Why am I still here? I’m not a number. Send someone else. I’ve been detained before... I’m not having it... why you fucking motherfucker. You have to let immigration know. Now I have a problem with every fucking mother fucker one.”³⁹

The DCOs remain silent. The woman charged with his ‘constant watch’ as a potential suicide risk, merely jots notes in his file; nobody says a word. The man screams for some time. Home Office staff, who might have had some answers about his case, are not called, nor are healthcare.

- 2.17 The third clip offers one officer’s view of what it felt like to work in this environment, and the potential impact that being exposed to trauma and distress can have on staff. In a wide-ranging conversation with Mr Tulley, covering suicide and self-harm, understaffing, drugs, and detention centre rules, an officer, Aaron Stokes, in the visits hall complains that staff are “mentally drained from trying to look after these nutters trying to do themselves in.”⁴⁰ Singling out those who threaten suicide, like the two men in the clips from E-Wing, he is not sympathetic. Referring to a specific man who has been threatening suicide, he says “he’s a bell end. Can’t keep up with him. ‘I’ll hang myself, I’ll hang myself’. I don’t really care. I don’t care, just do it.”⁴¹ A few minutes later, Mr Stokes continues, “he was just standing by that thing saying ‘I’m going to hang myself if I don’t get out of here and I just literally went -- crossed my arms, you can see it on the camera, just literally went into the room and went ‘do it. Hang yourself. I’ll cut

³⁸ 02:51:26 – 02:52:12, [KENCOV1007 BBC00094 – V2017042500020, TRN0000001].

³⁹ 13-minute clip [REDACTED].

⁴⁰ [TRN0000094, p.56], nb Transcript erroneously reads “You’re made to look strange trying to look after these nutters trying to do themselves here.”

⁴¹ [TRN0000094, p.54].

you down and fucking crack on with it.' So what? I'm bloody bored of these empty threats. Honestly, would I give a shit if you hang yourself? I can't physically stop you from hanging yourself. I can cut you down."⁴²

- 2.18 While it is not possible to know for sure how this man responded to the detained men in his care, his words suggest that he has become desensitised to their distress.

Conclusion and preliminary recommendations:⁴³

- 2.19 In these examples from the footage we catch a glimpse of the impact of detention not only on those who are detained but also on those who work within Brook House. While not all of those who were detained at the time were as distressed as the men in the clips mentioned above, nor were all of the officers as cynical or desensitised as the man in the visits hall, the material provided to the Inquiry includes numerous similar moments, which suggest that such views were not uncommon.
- 2.20 Academic research has found that people detained in immigration removal centres like Brook House, which are built to restricted, high-security prison category B standards, in which they are housed in cells and have limited access to natural light and fresh air, are more distressed than elsewhere. These institutions routinely score lower on the *Measure of the Quality of Life in Detention* (MQLD) survey than smaller, lower-security institutions like Tinsley House and Dungavel.⁴⁴
- 2.21 So, too, as the Shaw Review reported in 2016, one year before the events of Brook House, there is ample evidence that immigration detention affects mental health adversely.⁴⁵
- 2.22 It would be naïve to assume that such matters do not have a collateral impact on staff. Working with people who are deeply distressed and confused is hard, and DCOs and DCMs receive limited specific training or support in such matters, beyond some PowerPoint slides about staff stress and wellbeing in their initial training, and a phoneline they can call if they are concerned.⁴⁶
- 2.23 Even when their job is not stressful, working in detention can be boring and repetitive. These moments are also captured on the unscreened footage which shows officers

⁴² [TRN0000094, p. 56].

⁴³ This report is founded on the evidence that I have reviewed so far. Further evidence may require reconsideration or revisiting some of the matters set out herein. For that reason, my recommendations at the time of writing are preliminary.

⁴⁴ M Bosworth and A Gerlach (2020) *Quality of Life in Detention: Results from MQLD questionnaire data collected in IRC Gatwick (Brook House and Tinsley House), IRC Heathrow (Colnbrook and Harmondsworth), Yarl's Wood IRC, Morton Hall IRC, and Dungavel IRC: July 4 – September 20, 2019*. Oxford: Centre for Criminology. [REDACTED]

⁴⁵ S Shaw (2016) *Review into the Welfare in Detention of Vulnerable Persons*. Cm 9186. London: HMSO.

[INQ000060] Available at:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/490783/52532_Shaw_Review_Print_Ready.pdf

⁴⁶ DCOs Certification Course - Coping with Stress Students Handout Revised 25.06.2008, [CJS006111]; Coping with Stress Exercises Revised 25.06.2008 [CJS006112].

completing mundane tasks like overseeing lock-up, meals and access to the yard.⁴⁷ Staff complain about the tedium and about their long shifts.⁴⁸

- 2.24 For some years now, I have been advocating training in secondary trauma for staff. In 2018, Stephen Shaw noted the absence of a graduate program for immigration custodial staff.⁴⁹ Both of these provisions could assist in building resilience and professionalism among the staff group.
- 2.25 Another suggestion that has been made multiple times and has been trialled in some forms at various times would be to create a system of personal officers. Currently IRCs like Brook House rely either on individuals who are particularly motivated, or on their welfare staff to offer additional assistance to people in need in detention. Such arrangements put a lot of pressure on a small number of individuals.
- 2.26 However, there are many barriers to creating a meaningful and effective personal officer scheme in detention including: the small number of staff relative to those who are detained, the language barriers, the high and uncertain turnover of the detained population and the impact of decision making on people's immigration cases.
- 2.27 Although outside the remit of this Inquiry, I believe that the events of Brook House in 2017, combined with the current low numbers in detention in 2021 invite a bold response. Currently the vast majority of people who have exhausted their legal opportunities to remain in the UK are handled in the community. During the Covid-19 Pandemic, the Home Office released nearly everyone from detention other than ex-prisoners. At one point, the whole system held only 400 people. Current numbers remain low.
- 2.28 These conditions offer a unique opportunity to bring in two wide-ranging changes. First, the government could, finally, follow international human rights standards and bring in a time limit to immigration detention. A time limit would significantly reduce the kinds of distress shown in the video footage and would make the purpose of these institutions clearer. This, in turn, would bolster a professional staff culture and help to prevent a recurrence of the events of 2017.
- 2.29 Elsewhere, when a time limit has been introduced, numbers in detention have declined. Were this to happen, the UK could revisit the reliance on custody for enforcing border control. While this is, ultimately, a political decision, and not one for the Inquiry to make, the 2017 events in Brook House combined with the impact of the pandemic offer an opportunity to take stock of the system as a whole and to consider alternatives, for the only sure way to avoid the kind of events filmed in Brook House would be to stop

⁴⁷ On the 10-minute clip, Mr Tulley assists with lock-up on a housing unit. "You gotta try to get them to laugh to get them to go inside" he says (this is not fully reflected in the transcript of the clip at [TRN0000086, p. 15]); on the 3.51-minute clip officers complain about staff levels as they observe men queuing for a meal [TRN0000086, p.11]

⁴⁸ On a 16-minute clip, officers discuss the pay and conditions and shift patterns, [TRN0000032, pp. 14-16]

⁴⁹ S Shaw (2018) *Assessment of Government Progress in Implementing the Report on the Welfare in Detention of Vulnerable Persons: A Follow-Up Report to the Home Office by Stephen Shaw*. Cm 9661. London: HMSO.

detaining people in this way and manage everyone's immigration case in the community.

3. Staff Culture: what is it and what do we know about it?

- 3.1 Until recently, little attention has been given to staff in immigration detention centres in the UK other than in moments of crisis.⁵⁰ Instead, most accounts have focused on the needs and experiences of the detained population.⁵¹ It is not just that we know little about the experiences, motivations, challenges, or opinions of IRC staff, but also that there is not much public information about quite basic matters including their recruitment process, the number of officers, the training they receive, or their career progression. As a result, it is unsurprising to find that those entering this profession are also often unclear about what their job will entail.
- 3.2 Such matters make it difficult to define staff culture. Thus, while a quick search on the internet will find an array of views from claims about the guiding force of senior management and their 'vision' and 'values,' to the impact of specific kinds of employees,⁵² there is no agreed definition. Instead, as Stephen Shaw noted in 2018, staff culture is generally understood as "how organisations *do* things, and represents the values and beliefs that govern how individuals behave: most commonly described as 'how we do things around here'."⁵³
- 3.3 My own discipline of criminology has a long-standing interest in staff culture in the fields of policing and prison studies. There, academic accounts have ranged from critical studies of the causes of institutional sexism, racism and secrecy in police culture in which officers are shown to be suspicious of outsiders and concerned about safety and status,⁵⁴ to more appreciative studies of fairness and legitimacy.⁵⁵ In the subfield of prisons studies, Alison Liebling and her colleagues at the University of Cambridge have

⁵⁰See for example: A Hall (2010) 'These People Could Be Anyone': Fear, Contempt (and Empathy) in a British Immigration Removal Centre', *Journal of Ethnic and Migration Studies*. 36(6): 881 – 898; A Hall (2012) *Border Watch: Cultures of Immigration Detention and Control*. London: Pluto Press; M Bosworth (2019) 'Authority and Affect in Immigration Detention', *Punishment & Society*. 21(5): 542 – 559; M Bosworth (2018) "'Working in this place turns you racist": Staff, Race and Belonging in Immigration Detention', in M Bosworth, A Parmar and Y Vázquez. (Eds) *Race, Migration and Criminal Justice: Enforcing the Boundaries of Belonging*. Oxford: Oxford University Press. pp. 214 – 228; M Bosworth and G Slade (2014) 'In Search of Recognition: Gender and Staff-Detainee Relations in a British Immigration Detention Centre.' *Punishment & Society*. 16(2): 169 – 186;

⁵¹M Bosworth (2014) *Inside Immigration Detention*. Oxford: Oxford University Press.

⁵²C Calhoun and R Sennett (Eds) (2007) (2007). *Practicing Culture*. London: Routledge; J Coleman (2013) 'Six Components of a Great Corporate Culture,' *Harvard Business Review*, May 06 2013. Available at: <https://hbr.org/2013/05/six-components-of-culture>.

⁵³S Shaw (2018) *Assessment of Government Progress in Implementing the Report on the Welfare in Detention of Vulnerable Persons: A Follow-Up Report to the Home Office by Stephen Shaw*. Cm 9661. London: HMSO, p. 100.

⁵⁴J Chan (1997) *Changing Police Culture: Policing in a Multicultural Society*. Cambridge: Cambridge University Press; B Loftus (2009) *Police Culture in a Changing World*. Oxford: Oxford University Press.

⁵⁵B Bradford and P Quinton (2014) 'Self-Legitimacy, Police Culture and Support for Democratic Policing in an English Constabulary,' *British Journal of Criminology*. 54(6): 1023 – 1046.

focused on the role of the prison officer in shaping the quality of life in prison, identifying links between staff attitudes and prisoner outcomes.⁵⁶

- 3.4 According to their work, multiple staff cultures co-exist in any institution, shaping and reflecting staff views of prisoners, care, authority, and decency.⁵⁷ ‘Traditional’ prison officers, they have found, are more likely to be insular and cynical. They mistrust not only prisoners but also management. Such officers are more likely to perceive vulnerable prisoners, particularly those who attempt to self-harm, as manipulative. For these members of staff, “emotions have no place and are therefore not spoken about to maintain an image of machismo”.⁵⁸ Such an approach to prison work, however, is neither inevitable, nor universal. For Liebling and colleagues, the best prison officers build meaningful relationships with prisoners and in so doing, create a form of consensus about the kind of establishment in which people live and work.⁵⁹ While they wield power and authority, these officers accept that their power must be constrained in order to be legitimate.⁶⁰
- 3.5 In building relationships with prisoners and with one another, prison officers are influenced by a range of factors including their time in post, their gender, the prison environment, and their personal experiences of trauma.⁶¹ Those who govern prisons, Andrew Coyle asserts, face a particularly challenging job, since they need both to enthuse “those for whom they are responsible with a sense of decency in the way they carry out their difficult daily tasks” while maintaining levels of authority and accountability.⁶² For Coyle, a strong leader “will often have a recognizable charisma, which will attract trust and confidence from staff,” they will also “encourage staff at lower levels to use their initiative in implementing the details of the agreed policy”.⁶³
- 3.6 Inevitably, prison officers find that some of their multiple tasks and responsibilities are in conflict, leaving them frustrated or unclear how to proceed. Prison staff have been shown to be particularly unsure how to manage prison service policies on diversity, for

⁵⁶ H Arnold, A Liebling and S Tait (2007) ‘Prison Officers and Prison Culture’, in Y Jewkes (Ed) *Handbook on Prisons*. Collumpton: Willian. pp 471 – 495; A Liebling, ‘Why prison staff culture matters’, in J Byrne, F Taxman and D Hummer (Eds) *The Culture of Prison Violence*. Boston, MA: Allyn and Bacon, 105–122; B Crewe, A Liebling and S Hulley (2011) ‘Staff culture, use of authority and prisoner quality of life in public and private sector prisons.’ *Australian and New Zealand Journal of Criminology*. 44(1): 94 – 115.

⁵⁷ S Tait (2011) ‘A Typology of Prison Officer Approaches to Care,’ *European Journal of Criminology*. 8(6): 440 – 454.

⁵⁸ F Sweeney, J Clabour and A Oliver (2018) ‘Prison officers’ experiences of working with adult male offenders who engage in suicide-related behaviour,’ *The Journal of Forensic Psychiatry & Psychology*. 29(3): 467 – 482. p. 472.

⁵⁹ A Liebling, H Arnold and C Straub (2012) *An Exploration of Staff-Prisoner Relationships at HMP Whitemoor: Twelve Years On*, London: National Offender Management Service; A Liebling (2008) ‘Why prison staff culture matters’, in J Byrne, F Taxman and D Hummer (Eds) *The Culture of Prison Violence*. Boston, MA: Allyn and Bacon, 105–122; J Bennett, B Crewe and A Wahidin (Eds) (2008) *Understanding Prison Staff*. Cullompton, Devon: Willan Publishing.

⁶⁰ R Sparks, A Bottoms and W Hay (1996) *Prisons and the Problem of Order*. Oxford: Oxford University Press.

⁶¹ S Tait (2011) ‘A Typology of Prison Officer Approaches to Care,’ *European Journal of Criminology*. 8(6): 440 – 454.

⁶² A Coyle (2007) ‘Governing, Leadership and Change’, in Y Jewkes (Ed) *Handbook on Prisons*. Collumpton: Willian. p. 496.

⁶³ Ibid.

example, with BAME staff reporting their own experiences of racism.⁶⁴ More broadly, the heavy emphasis on targets, Jamie Bennett has argued, may reduce people's ability to think for themselves.⁶⁵

- 3.7 Much of this work provides a useful starting point for understanding the events of 2017 in Brook House and for thinking about how to avoid repeat similar occurrences there or elsewhere. So, too, the fact that those who work in IRCs often compare themselves to prison officers and the institutions in which they work to prisons,⁶⁶ as do some of those who are detained,⁶⁷ suggests that drawing on this literature may be helpful. In 2018, according to Sarah Newland, then head of Tinsley House, "Brook House is ostensibly a prison. It is built like a prison -- It has prison wings. I think the whole environment that that brings, the acoustics, the noise, the numbers can be really overwhelming for people."⁶⁸
- 3.8 Nonetheless, the distinctions between these two institutions are also important for understanding the nature of the work staff do, the detained population, and the goal and effects of detention itself. Staff interviewed by Verita in 2018 noted that prison officers wield additional punitive powers. Prisons also operate softer forms of coercion in an 'incentives and earned privileges' scheme alongside a wider selection of paid work and treatment options. Above all, except for those on remand, prisoners are serving a sentence. Even those whose sentences are indefinite, will have a tariff of some sort, or a process through which they may be considered for parole. Together, according to Lee Hanford, then Interim Director at Brook House, these matters mean that, "A prison has a real vision, it's to care and rehabilitate, there's a real vision in that, and everyone is moving in the same way, whether that's through whatever category they are, etc. What is an Immigration Removal Centre, what's the vision?"⁶⁹
- 3.9 IRCs, by contrast, function without a statutory upper time limit for anyone other than pregnant women and families. Staff possess few powers beyond those of persuasion⁷⁰ – although they are trained in control and restraint and are entitled to use it only when 'necessary' and as a 'measure of last resort'.⁷¹ The purpose of a period of detention is

⁶⁴ H Bhui and J Fossi (2007) 'The experiences of Black and Minority Ethnic Staff', in J Bennett, B Crewe and A Wahidin (Eds) *Understanding Prison Staff*. Collumpton: Willan; C Philips (2009) *The Multicultural Prison*. Oxford: Oxford University Press.

⁶⁵ J Bennett (2008) *The Working Lives of Prison Managers: Global Change, Local Culture and Individual Agency in the Late Modern Prison*. London: Palgrave.

⁶⁶ "you might as well work in a gaol... you're dealing with the same fucking detainees" one female DCO says [REDACTED].

⁶⁷ "he keeps telling me he's in prison. I say, no, it's a centre. It may look like a prison but it's not run like one." one female DCO says [REDACTED].

⁶⁸ Independent Investigation into Brook House transcript of interview with Sarah Newland Head of Tinsley House, dated 05/03/2018, [VER000223], pp. 3 – 4.

⁶⁹ Independent Investigation into Brook House, transcript of second interview with Lee Hanford on 29/05/2018, [VER000239], p. 10.

⁷⁰ Independent Investigation into Brook House transcript of interview with Sarah Newland Head of Tinsley House, dated 05/03/2018, [VER000223], p. 4; Transcript of Verita's Independent Investigation into Brook House interview with Mark Demian, Head of Safeguarding, dated 01/02/2018, [VER000217].

⁷¹ Detention Services Operating Standards Manual for Immigration Removal Centres (published 14 September 2011). Available at:

likewise not always clear. While IRCs are primarily designed to hold people to facilitate their deportation – over half the population is released back into the community. So, too, the pathway to detention varies; sometimes people end up there from prison, at other times as a result of working without a visa. About half the population have sought asylum at some point and many attempt to claim it while detained.⁷²

- 3.10 Together, these matters create a custodial environment of some uncertainty in which both staff and those who are detained experience and express frustration, anxiety, and ambivalence.⁷³ In this environment, interpersonal skills and the ability to exercise discretion as well as the capacity to communicate compassion and openness are crucial. Yet, and notwithstanding 175 PowerPoint slides dedicated to ‘interpersonal skills’⁷⁴ the emphasis in the initial training for Brook House staff was skewed towards matters of security and managing risk.⁷⁵
- 3.11 Above all, the approach advocated in prisons – to build relationships with the confined – faces many barriers in an IRC. The lack of certainty about the duration of detention, the rapid turnover of the detained population and shift patterns make it hard for staff to get to know those who are detained.⁷⁶ Matters are compounded by language barriers and high levels of anxiety among the detained population. Low staffing levels relative to the detained population can also make it hard to find the time to talk meaningfully.
- 3.12 In my research I have found that in their day-to-day work, officers end up relying on other proxies, including race and national stereotypes, in making sense of detainees and their jobs.⁷⁷ When asked about their relationships with those who are detained, staff worry about the appropriate line between sympathy and empathy; how close should they get? This confusion is amplified by the secure environment, in which they are taught to think of the detained population as potential threats.⁷⁸
- 3.13 Such matters were evident in Brook House in 2017. “Be friendly, but not friends, check things out, keep your emotions under control”, initial training course (“ITC”) training

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/257352/operatingstandards_manual.pdf

⁷² S Silverman, M Griffiths, and P Walsh (2021) ‘Immigration Detention in the UK: A Briefing Paper’, The Migration Observatory, University of Oxford. Available at:

<https://migrationobservatory.ox.ac.uk/resources/briefings/immigration-detention-in-the-uk/>

⁷³ A Hall (2010) ‘These People Could Be Anyone’: Fear, Contempt (and Empathy) in a British Immigration Removal Centre’, *Journal of Ethnic and Migration Studies*. 36(6): 881 – 898; M Bosworth (2016) ‘Immigration Detention, Ambivalence and the Colonial Other,’ In A Eriksson (Ed) *Punishing the Other*. Abingdon: Routledge, pp. 145 – 164.

⁷⁴ ‘Interpersonal Skills’, PowerPoint, [CJS006187].

⁷⁵ Thus, for example, there is a handout on hospital bed watch, which exhorts trainees that to “remember that feigned illness is a common method of engineering an escape attempt” despite that, to my knowledge, there has never been an escape of someone detained under Immigration Act powers from a hospital visit. See: ITC handout on ‘Bedwatch’, [CJS006350], p. 2.

⁷⁶ Independent Investigation into Brook House, amended transcript of Interview with Ben Saunders, Former Director of Brook House, dated 13/06/2018, [VER000226].

⁷⁷ M Bosworth (2018) “‘Working in this place turns you racist’: Staff, Race and Belonging in Immigration Detention”, in M Bosworth, A Parmar and Y Vázquez (Eds) *Race, Migration and Criminal Justice: Enforcing the Boundaries of Belonging*. Oxford: Oxford University Press. pp. 214 – 228.

⁷⁸ Dynamic risk assessment handout, [CJS006159]; Assessing potential threat handout, [CJS006160].

materials advised.⁷⁹ In response, staff deployed concepts more commonly associated with counter-terrorism such as ‘conditioning’⁸⁰ in discussions of their interactions with those who are detained. All of these topics are mentioned in the evidence shared with the Inquiry.⁸¹

Conclusion and preliminary recommendations:

- 3.14 While it has become commonplace to refer to ‘staff culture’ as an explanation for widespread institutional practices and beliefs, it remains the case that there is no clear definition of staff culture, and thus, no clear account of the circumstances under which certain practices or beliefs may become dominant or subside.
- 3.15 In my opinion, the evidence demonstrates that in 2017 Brook House was a low trust environment in which staff did not always treat detainees with dignity. They also did not always treat one another with respect.
- 3.16 Resolving such matters requires some acknowledgement of their structural foundations. That is to say, while it does appear that certain individual officers contributed to poor behaviour, at least some of the problems identified in 2017 remain present across all immigration detention centres. The ‘prisonisation’ of detention, in which those who are detained are labelled and treated as risky and dangerous, makes it very difficult for officers to forge positive and meaningful relationships with them. The limited number of activities in an IRC, and the lack of community engagement, compounds matters. These factors are not limited to Brook House.

4. Staff management, culture, oversight and support

- 4.1 Like all immigration removal centres, Brook House is a contracted-out institution, run on behalf of the Home Office by a private security company. In 2017, it had been run by the same company from its inception. In 2020, G4S decided not to re-bid for the contract and Serco was selected from among the companies that did. In this section I will outline the staff structure and their general duties before turning to the evidence about management, culture, oversight, and support.
- 4.2 As with all IRCs, a variety of custodial and non-custodial staff work in Brook House. The custodial staff are arranged in a steep hierarchy, with four main officer grades, the first three of which are uniformed: Assistant Custody Officer (ACO), DCO and DCM and the Senior Management Team (SMT). DCOs make up the largest group of employees in any immigration removal centre.

⁷⁹ Taking Control handout, [CJS006108].

⁸⁰ This term refers to the process by which someone is manipulated by another. It is referenced in the ITC training material, see for example, Take Control - Conditioning [CJS006108], and by the head of Security Michelle Brown, in her interview with Verita [VER000221], pp. 2 - 3.

⁸¹ Conditioning and Exploitation Level 1, tutor notes, [CJS006109].

- 4.3 In hierarchical organisations and in places where the job is demanding, people are often rather dissatisfied. Some of the complaints the Inquiry has seen evidence of around pay and conditions, for example, and about the lack of regular contact with the Senior Management Team, along with allegations of favouritism or preferential treatment are familiar in many places of work.⁸² Even so, the level of staff dissatisfaction and mistrust that is evident in the materials provided to the Inquiry is striking and requires some explanation.

Assistant Custody Officers

- 4.4 ACOs have no direct contact with detainees. They are employed in places like the gate house, or the visitors centre where visitors – including lawyers – check in before proceeding to the main building to be searched. ACOs are on a lower pay scale and a different contract to DCOs. Even though they are the first members of staff that most people meet when visiting an IRC, they are not usually included in accounts of immigration detention.
- 4.5 The materials shared with the Inquiry by Verita included one interview with an ACO who made a number of serious allegations about a bullying culture and lack of support from management to staff.⁸³ This officer reported that “no-one trusts anyone any more in this place because of the sheer turnover we now have”.⁸⁴ ACOs were not part of the BBC Panorama footage.

Detainee Custody Officers

- 4.6 Detainee Custody Officers, or DCOs, perform the vast majority of face-to-face work with the detained population. In their investigation in 2018, Verita scrutinised staffing levels and found it difficult to obtain a clear answer about how many DCOs were present in Brook House on any given day.⁸⁵
- 4.7 In the materials submitted to the Inquiry, concerns about understaffing were raised by the IMB,⁸⁶ HMIP,⁸⁷ Verita,⁸⁸ and by many of the staff members themselves, in interviews

⁸² see, for example, M Bosworth, A Gerlach and D Aitken (2016) *Understanding Staff Culture at IRC Heathrow*. Oxford: Centre for Criminology.

⁸³ Independent Investigation into Brook House - Interview with Stewart Davis (ACO) - 23 April 2018., [VER000260].

⁸⁴ Independent Investigation into Brook House - Interview with Stewart Davis (ACO) - 23 April 2018., [VER000260], p. 11.

⁸⁵ Independent Investigation into Brook House, transcript of interview with Mr John Kench Central Detail Manager, dated 31 January 2018, [VER000227].

⁸⁶ IMB (2018) *Annual Report of the Independent Monitoring Board for Brook House Immigration Removal Centre 1 January 2017 to 31 December 2018*. London: IMB.

⁸⁷ HMIP (2017) *Report on an unannounced inspection of Brook House Immigration Removal Centre by HM Chief Inspector of Prisons, 31 October – 11 November 2016*. London: HMIP. Available at: <https://www.justiceinspectorates.gov.uk/hmiprison/wp-content/uploads/sites/4/2017/03/Brook-House-Web-2016.pdf>, p.5

⁸⁸ K Lampard and E Marsden (2018) *Independent investigation into concerns about Brook House immigration removal centre: A report for the divisional chief executive of G4S Care and Justice and the main board of G4S plc*. London: Verita.

with Verita and on the unscreened footage.⁸⁹ “We were certainly sometimes really tight with staff,” former Centre Director Ben Saunders reported to Verita in 2018, “and retention was difficult.”⁹⁰

- 4.8 The housing units (also called wings) appear to have been particularly adversely affected by staffing levels. In 2017, it was not uncommon for officers – no matter how new in the job – to have been left alone on a wing with responsibility for over 100 men at a time.⁹¹ Such practices, staff pointed out, made working in Brook House stressful⁹² and could be dangerous.⁹³
- 4.9 DCOs typically are based in one section of the IRC, although they can be moved around as required operationally. In the materials I have consulted, strategies about deployment appear to have negatively affected staff morale and the culture of the institution.
- 4.10 On the one hand, ‘activities staff’ like Mr Tulley,⁹⁴ who were meant to keep the gym, library, cultural kitchen, and IT rooms open, were often made to cover short-falls in personnel and breaks on the housing units. This arrangement meant that the limited activities regime was further reduced; leaving the detained population with little to occupy themselves. The cultural kitchen was frequently closed, while there were constant problems in the computer room (also sometimes known as the ‘IT room’) and limited access to the library.⁹⁵ These arrangements were also unpopular with the activities staff who complained that their expertise was not valued and that their job was too onerous.⁹⁶
- 4.11 In contrast to the enforced flexible working patterns of activities staff, those who were placed on the housing units were rarely moved elsewhere. These officers complained about the lack of variety in their work. For those allocated to the larger housing units, (eg A, C, and D wings), their working day was considered to be particularly difficult, as they had to manage a large population of frustrated men. When asked how she was finding her job, a new recruit replied: “boring and stressful... draining.”⁹⁷

⁸⁹ See for example TRN0000034, p.5; and TRN0000029, pp. 2-3. A woman complains that after just one month in the post she was left alone on a wing with 128 men to look after [TRN0000035, pp. 1-2].

⁹⁰ Independent Investigation into Brook House, amended transcript of Interview with Ben Saunders, Former Director of Brook House, dated 13/06/2018, [VER000226, p. 11].

⁹¹ See, for example, discussion of such matters at TRN0000078 p.5.

⁹² See, for example TRN0000029 pp. 2-3.

⁹³ A female officer talks about being left on the wing on her own, despite only having had three weeks of work experience [TRN0000093, p. 24]; on this 2-minute clip officers talk about the length of their shifts and the risks of leaving new members of staff on their own [TRN0000081, p. 9].

⁹⁴ It is worth noting that Mr Tulley was employed as an activities officer and so the attention to this issue in his undercover footage may have been affected by his own situation.

⁹⁵ 01:00 – 03:08 activities staff complain about the challenges they face and staff shortages in general [TRN0000028, pp. 1-5].

⁹⁶ Independent Investigation into Brook House, transcript of interview with DCM Ryan Harness on 26/03/2018, [VER000238], p. 5.

⁹⁷ 3-minute clip, [REDACTED].

- 4.12 On E-wing, where some of the most troubling footage screened on Panorama was shot, staff looked after some of the most vulnerable people in detention, yet they were not given any additional training.⁹⁸
- 4.13 While some staff members described an *esprit de corps* with specific colleagues,⁹⁹ a number of wing officers complained about the nature of their job, their low pay, and the conditions under which they worked. At times they complained about new colleagues.¹⁰⁰
- 4.14 The DCOs also criticised the SMT in interviews with Verita and in the undercover footage.
- 4.15 On a series of clips dated April 24 2017, all of these issues are raised in a lengthy conversation among officers, which they hold in the presence of a detained man.
- 4.16 “The SMT are shit. I’ve said it. And I’ll also, in my exit interview, if I do have one, I’ll say ‘you are shit’,”¹⁰¹ a female officer identified in the transcript as Anna Hussain states. In the same spirit, she goes on:

“Brook doesn’t have a very nice environment. I mean, it’s --it’s not a nice environment to be in, right? Your health gets so fucked up when you’re working there. Right?... So that’s one reason why I wanted to leave. The managers are absolutely pants... there’s so much I don’t like about this job... you’re not getting paid enough... It’s literally like our managers don’t really like what they – like, real companies, they want to see career progress and they want to see you do better... They don’t do that here. They want you to be stuck in one place because you’re just a number... they don’t know you as individuals, you’re a number... Unless you really have stood out or you’ve bum licked and then you stand out.”¹⁰²

- 4.17 The fault, Ms Hussein suggests, lies in the system: “Whenever they do an ITC, G4S gets money from the Home Office,” she points out, “It’s a money-making machine, so long as they’ve got staff.”¹⁰³ “I find this job so boring... My brain cells are dying... It’s so easy... I don’t feel mentally challenged,”¹⁰⁴ she continues.

- 4.18 Ms Hussein’s male colleague Alex was more succinct: he felt “burnt out” he said.¹⁰⁵

⁹⁸ Independent Investigation into Brook House interview (transcript) with David Waldock, DCO on E Wing, dated 11/04/2018, [VER000219], p. 2.

⁹⁹ “I really enjoy the wings... I really do... if you have a good team” a female DCO tells Mr Tulley

[REDACTED].

¹⁰⁰ See, for example, [TRN0000021, p. 6] for a discussion in which a small group of officers claim that new staff are not to be trusted: “Got to be careful with the new staff”, one male officer says, after hearing that one of them had lodged a security incident report on a colleague. “Buncha cunts, ain’t they?”, Dan Lake replies.

¹⁰¹ [TRN0000035, p. 9].

¹⁰² [TRN0000035, p.13].

¹⁰³ [REDACTED].

¹⁰⁴ [REDACTED].

¹⁰⁵ [TRN0000035, p.13].

- 4.19 Placing the same officers on the housing units every day may help generate familiarity with those who are detained. This strategy also, in principle, allows staff to develop expertise and to take ownership of aspects of their job. However, on its own, consistency of staffing does not develop trust.
- 4.20 As the quotes above suggest, a lack of variety in posting may lead to stagnation and boredom. It may also foster a distinctive subculture, as appears to have occurred on E-wing.
- 4.21 As will be discussed in more detail below, such matters were compounded in Brook House by the physical layout of the building and by the longstanding practice of staff in all the housing units to sequester themselves in their offices rather than engage with the detained men on the common areas of the wings. Although Mr Tulley appears to have regularly played pool on E-wing with detained men, his footage does not often capture officers engaged in similar informal interactions.
- 4.22 DCOs, in any IRCs, come from a wide background. Some have been previously employed in other uniformed roles including the armed forces, the police and prison. Still others come straight from school, from retail careers, from other security related posts, or from jobs in the airport. There are no statistics available about their educational backgrounds, age, race/ethnicity, or qualifications either in Brook House specifically, or in any other IRC. This lack of information makes it hard to draw firm conclusions about the make-up of the staff population, and it is thus, not possible, to be sure about whether there are wider matters shaping staff culture related to them.
- 4.23 In 2017, Brook House had a high level of staff turnover. In response, G4S ran regular recruitment drives. From a complement of around 226 officers in 2017,¹⁰⁶ interim Director Lee Hanford told Verita, on average 6 – 8 officers resigned per month, with rates increasing at various times of the year, or after specific moments of crisis.¹⁰⁷ For example, 72 people left after Panorama between August and October 2017.¹⁰⁸ Replacing them was expensive with Mr Hanford reporting that G4S spent nearly £800,000 from October 2017 to May 2018 trying to fill their spaces.¹⁰⁹
- 4.24 A number of staff members in the Verita interviews and the footage complained that too much attention was focused on new officers and not enough on those with long service. Inexperienced staff, people complained, made mistakes.¹¹⁰ They did not have

¹⁰⁶ Independent Investigation into Brook House, transcript of second interview with Lee Hanford on 29/05/2018, [VER000239], p. 8.

¹⁰⁷ Independent Investigation into Brook House - Interview with Lee Hanford (Interim Director), dated 27/11/2017, [VER000266], p. 6.

¹⁰⁸ Ibid, p. 6.

¹⁰⁹ Independent Investigation into Brook House, transcript of second interview with Lee Hanford on 29/05/2018, [VER000239], p. 18.

¹¹⁰ Officers describe new staff mistakenly letting people onto a housing unit. More experienced officer comments that they did not intervene, because it was not their fault; "So fuck it" they conclude [TRN0000020 pp. 1-2].

the “life experience” necessary for the job, some thought.¹¹¹ As DCO Gary Siggins put it, for example, “you can’t teach experience to an ITC. We’ve lost so many top notch officers, it’s unbelievable.”¹¹² “It’s just bodies,” another DCO claimed on the footage, “unless they know actually what the fuck they’re doing”.¹¹³

- 4.25 In addition to the lack of experience of many of their colleagues, DCOs complained about the flat salary structure of their role which meant that long-serving staff earned the same as new recruits. In his interview with Verita in 2018, DCO Owen Syred who was a member of the welfare team connected the two issues: “I’ve been here a while”, he said “and the incentive for you to stay is the fact that you enjoy your job, that’s my perks basically. Your pay is the same as someone who has just started on day one. Your experience counts for nothing but it counts for a lot of the work if they need something.”¹¹⁴

Detainee Custody Managers

- 4.26 DCMs are the middle managers of IRCs. These posts are usually recruited from within the DCO cohort. They wear a slightly different uniform.¹¹⁵ Their salary is higher, as is their level of responsibility. Each sector of the IRC is meant to have a Detainee Custody Manager who oversees the DCOs employed in that area and signs the relevant paperwork about staffing levels, meals, room checks, suicide and self-harm, and so on. In 2017, one DCM managed two housing units, giving them overarching operational responsibility for over 200 detained men at a time.¹¹⁶
- 4.27 Within the DCM group, ‘Oscar 1’ and ‘Oscar 2’ have specific oversight and management duties. Oscar 1 oversees the daily operation of the centre, while Oscar 2 deals with arrivals and departures. These are both highly demanding roles.
- 4.28 In an interview with Verita in 2018, Lee Hanford, then interim Director, spoke of the need for more DCM posts to provide better management and oversight.

“My vision... is to have a DCM on every unit, and people build the relationships and rapport with their staff groups and with the detainees, and get to them know them on a day-to-day basis, based on that wing, in the office there. So you would only call on a DCM Oscar 1 in the event of something going wrong when you need to call another resource... only then,

¹¹¹ This view was commonly expressed in the Verita interviews and in the footage. See for example, Independent Investigation into Brook House transcript of interview with Sarah Newland Head of Tinsley House, dated 05/03/2018, [VER000223], pp. 8 – 9; it was also evident in the 5-minute clip, during which officers point out that “‘This ain’t bad money if you’re just coming straight from school”, [TRN0000086 p. 5].

¹¹² Independent Investigation into Brook House - Interview with DCO Gary Siggins, dated 14/02/2018, [VER000265], p. 6.

¹¹³ [REDACTED].

¹¹⁴ Independent Investigation into Brook House - Interview with Owen Syred (Welfare Officer) - 11 April 2018. [VER000252], p. 18.

¹¹⁵ In 2017, DCMs at Brook House wore white collared shirts, while DCOs wore navy shirts.

¹¹⁶ Independent Investigation into Brook House, amended transcript of Interview with Ben Saunders, Former Director of Brook House, dated 13/06/2018, [VER000226], p. 22.

when you have that regular relationship with people, will you build up that learning and development culture that is needed in this place."¹¹⁷

When I conducted research in Brook House in 2019, more DCMs had been recruited, often very rapidly, from the ranks of DCOs. However, the pressure on the Oscar 1 or 2 roles remained evident.¹¹⁸

- 4.29 Interviews with Verita in 2018 suggest that during 2017, a small group of DCMs had encouraged a particular culture of machismo in Brook House, which had encouraged at least some of the unprofessional behaviour evident in the Panorama exposé.¹¹⁹ It is hard to judge from the material submitted how widespread their views were at the time, since it is not possible to know what proportion of the officers appeared on film.

The Senior Management Team

- 4.30 The SMT are the most senior members of custodial staff. They do not wear a uniform. Some rise from the ranks, promoted from DCO to DCM to SMT. Others move laterally within the wider company from elsewhere in the business. It is common in the immigration sector that members of the SMT have previously worked in prisons; and, in 2017, Brook House was no exception although the Director, at the time – Mr Ben Saunders – had a background in social work.¹²⁰
- 4.31 The two most senior SMT posts are the Centre Manager or Director and the Deputy Centre Manager or Deputy Director. In 2017, the Brook House SMT also managed Tinsley House under a single contract.
- 4.32 The documents relating to Brook House report interpersonal conflicts and disputes among the SMT which had manifested in formal grievances and in abrupt departures of staff.¹²¹ A number of those interviewed by Verita in 2018 describe a difficult working environment and alleged a culture of bullying and favouritism.¹²² Their interviews, as well as some of the footage, suggest that at least some of the conflict among the SMT was evident to staff below them and had contributed to an erosion of trust and confidence in the management team. In one 13-minute clip, for example, officers refer

¹¹⁷ Independent Investigation into Brook House, transcript of second interview with Lee Hanford on 29/05/2018, [VER000239], pp. 6 - 7.

¹¹⁸ M Bosworth (2019) *Staff Culture in IRC Brook House: A briefing paper*. Oxford: Centre for Criminology.

¹¹⁹ See, for example, Independent Investigation into Brook House - Interview with Owen Syred (Welfare Officer) - 11 April 2018, [VER000252], p. 14; Independent Investigation into Brook House transcript of interview with Sarah Newland Head of Tinsley House, dated 05/03/2018, [VER000223], p. 20; and Independent Investigation into Brook House - Interview with DCO Gary Siggins, dated 14/02/2018, [VER000265], pp. 2 – 4.

¹²⁰ Independent Investigation into Brook House, amended transcript of Interview with Ben Saunders, Former Director of Brook House, dated 13/06/2018, [VER000226], p. 2.

¹²¹ See for example: Independent Investigation into Brook House, transcript of interview with Steve Skitt (Deputy Director), 27/11/2017, [VER000248]; Transcript of Independent Investigation into Brook House, second interview with Michelle Brown, dated 02/02/2018, [VER000221]; Independent Investigation into Brook House transcript of interview with Sarah Newland Head of Tinsley House, dated 05/03/2018, [VER000223], e.g. p. 22.

¹²² See, for example, Independent Investigation into Brook House - Interview with DCO Gary Siggins, dated 14/02/2018, [VER000265], pp. 6 - 7.

to colleagues “grassing each other up” and complain that “it’s the ones who care get suspended... Who get sacked.”¹²³

- 4.33 Verita focused on this aspect of management and oversight in their interviews, expressing concern about specific individuals in the SMT and higher up in G4S. They also drew attention to the number of official grievances that were lodged and to the number of formal investigations that were initiated.¹²⁴ I have nothing more to add, at this stage, to their conclusions about the impact of these processes and disputes.

Non-custodial staff

- 4.34 Every IRC houses a variety of non-custodial staff. These include Home Office staff, Healthcare, and education providers. While some of these staff members may have regular daily contact with the detained population, they do not perform the same duties or have the responsibilities as custodial staff.
- 4.35 In 2017, Brook House employed an art teacher and an English as a second language teacher (who was a former DCO); the footage suggests the centre was occasionally also visited by a yoga teacher. The Forward Trust offered drug treatment and counselling, while catering and cleaning services were subcontracted to Aramark. Healthcare was provided by G4S Health Services under a separate contract. Healthcare and the Forward Trust had particular responsibility for the health and wellbeing of the detained population.
- 4.36 Home Office staff met regularly with the detained men to obtain or communicate information about their immigration case. The Home Office contract monitor had responsibility for determining whether G4S was delivering on the terms of the contract.

Other organisations present in Brook House

- 4.37 In addition to the non-custodial staff, Brook House was visited by members of the Gatwick Detainee Welfare Group (GDWG) who held regular surgeries with the detained men within the main building. The organisation also offered social support to detained people via visits. In common with all sites of custody, the centre had a resident Independent Monitoring Board (IMB), made up of volunteers.

¹²³ This claim is made during a 13.44-minute clip when Mr Tulley speaks with a woman DCO who is under investigation for having opened a man’s bedroom door at night to deliver a fax to him [TRN0000021, pp. 11-15].

¹²⁴ See, for example, Independent Investigation into Brook House, transcript of interview with Steve Skitt (Deputy Director), 27/11/2017, [VER000248]; Independent Investigation into Brook House interview (transcript) with David Waldock, DCO on E Wing, dated 11/04/2018, [VER000219], pp. 9 - 13; Transcript of Independent Investigation into Brook House, second interview with Michelle Brown, dated 02/02/2018, [VER000221].

Healthcare

- 4.38 Aspects of healthcare in Brook House form the basis of an expert report by Dr Hard, to whom I defer in respect of clinical matters. Here I present the evidence shared with me as part of the examination of staff culture.
- 4.39 Healthcare in Brook House was delivered in 2017 under a separate contract by G4S Heath Services employees. My understanding is that it comprised one doctor, and a varying number of nurses, including at least one of whom who was specifically trained in mental health and another who was trained in special needs. There were also a number of healthcare assistants (HCAs). There was no onsite dental care, and any emergency medical matters, including mental health, had to be dealt with in the community, either at the local A&E or for mental health issues at Farmfield Hospital, a private secure mental institution run by Elysium Healthcare.¹²⁵
- 4.40 Interviews conducted by Verita in 2018 found that healthcare struggled to fill all their posts. This situation left them dependent on agency nurses which, the G4S head of Healthcare, Sandra Calver, stated was expensive and made it hard to offer consistent services.¹²⁶
- 4.41 Some healthcare staff complained about the custodial senior management. They “don’t see us as part of their team really”, Nurse Karen Churcher claimed, because they were not part of the same contract.¹²⁷ This woman also criticised the lack of training in mental health for DCOs, particularly on E-wing¹²⁸ and expressed reservations about custodial staff who had created courses on anger management without training or qualification.¹²⁹
- 4.42 While concerns have rightly been raised to the Inquiry about the actions of healthcare staff, due to the actions shown on the BBC Panorama, the unscreened footage is mixed. On the one hand, it includes instances of healthcare staff responding calmly and professionally to incidents.¹³⁰ Yet, there are also moments where men appear distressed

¹²⁵ Transcript of Verita Independent Investigation into Brook House - Interview with Healthcare Practice Manager - Mr Michael Wells, dated 27/04/2018, [VER000262].

¹²⁶ Transcript of Verita Independent Investigation into Brook House, interview with Head of Healthcare at the G4S IRCs, Sandra Calver, dated 17/01/2018, [VER000275].

¹²⁷ Independent Investigation into Brook House, Interview with Mental Health Nurse Karen Churcher, dated 11/05/2018, [VER000273], p. 1.

¹²⁸ Independent Investigation into Brook House, Interview with Mental Health Nurse Karen Churcher, dated 11/05/2018, [VER000273], p.8.

¹²⁹ Independent Investigation into Brook House, Interview with Mental Health Nurse Karen Churcher, dated 11/05/2018, [VER000273], p. 9.

¹³⁰ In a 26-minute clip a man is having a seizure. He is placed first in the recovery position, and then Mr Tulley is sent to find a chair to help move him to E-Wing. While Mr Tulley is walking to E-Wing, he finds another man having another seizure [TRN0000083, pp. 3- 12]. In a one-hour file, a man is shown in a health crisis in the corridor outside the Barber. He is crying out. Healthcare staff kneel alongside him and provide Oxygen and, alongside staff keep him in the recovery position. Eventually ambulance staff arrive to take him away. DCOs have to move him to the ambulance bed [TRN0000093, pp. 9-21]. Likewise, from 00:30:29 – 00:48:29 healthcare staff and officers assist a man having a drug-related seizure. He eventually walks with them to E-wing, Transcript: [TRN0000095].pp. 9-17.

or request to see a doctor and do not receive much assistance from the healthcare team.¹³¹ In a visit to the Care and Separation Unit (CSU) the doctor does not engage with the detained men, but simply speaks to them through the slot in the door.¹³² In Brook House, as in all IRCs, complaints have continued to be made post-Panorama about the quality of healthcare provision.¹³³

Mental health care and Adults at Risk

4.43 In a Ministerial statement made on 14 January 2016, then Minister of State for Immigration, James Brokenshire, announced plans to “introduce a new “adult at risk” (AAR) concept into decision-making on immigration detention with a clear presumption that people who are risk should not be detained, building on the existing legal framework”¹³⁴ in response to the critical findings of the first Shaw review of the welfare of vulnerable people in detention. Detention Service Order 08/2016 was published the following February which set out the definition of an adult at risk, a series of indicators of risk in detention and procedures both in determining the suitability of someone for detention and their treatment while detained.¹³⁵ According to paragraph 5 of this document, which was in force during the Relevant Period, “an adult will be regarded as being at risk:

- If they declare that they are suffering from a condition, or have experienced a traumatic event (such as trafficking, torture or sexual violence), that would be likely to render them particularly vulnerable to harm if they are placed in detention or remain in detention; or
- If a case owner considering or reviewing detention becomes aware of medical or other professional evidence, or observational evidence, which indicates that an individual is suffering from a condition, or has experienced a traumatic event (such as trafficking, torture or sexual violence), that would be likely to render them particularly vulnerable to harm if they are placed in detention or remain in detention. In these circumstances the individual will be considered as an adult at risk whether or not the individual has highlighted this themselves.¹³⁶

¹³¹ From 1:09:44 to 1:12:20, a man complains of pain in his side; healthcare suggests paracetamol and then leave [TRN000028 pp. 14-25]; a 3-minute clip in which a healthcare worker dismisses a detained man’s concerns [TRN0000026, p.11].

¹³² In this 3.11-minute clip a doctor and healthcare worker enter CSU through E-Wing. The doctor only speaks to the men on CSU through the flap in the door. When a man does not respond to him, he does not probe any further [REDACTED].

¹³³ Clinical Review for the purpose of an Independent Investigation of Gatwick Cluster IRC Carried out by Dr John Linsell. 22.03.19, [CJS007078].

¹³⁴ ‘Immigration Detention: Response to Stephen Shaw’s report into the Welfare in Detention of Vulnerable Persons’, Available at: <https://questions-statements.parliament.uk/written-statements/detail/2016-01-14/HCWS470>

¹³⁵ Home Office (2017), Detention Services Order 08/2016: Management of Adults at Risk in Immigration Detention. [HOM002519].

¹³⁶ Home Office (2017), Detention Services Order 08/2016: Management of Adults at Risk in Immigration Detention. [HOM002519], Paragraph 5, pp. 5-6.

- 4.44 In paragraph 6, it is made clear that “on the basis of the available evidence, the Home Office case owner will reach a view on whether a particular individual should be regarded as being “at risk”. If so, the presumption will be that the individual will not be detained.”¹³⁷
- 4.45 While this document is primarily addressed to case owners, paragraph 9, on page 7, makes clear that “Detention decision are subject to ongoing review in line with published Home Office detention policy, including when circumstances related to the individual’s level of risk, or immigration considerations, change.”¹³⁸ It thus sets out a series of requirements for the “IRC supplier”, including an expedited “reception” process for those identified or suspected of being an adult at risk¹³⁹; an appointment with a GP within 24 hours of admission to an IRC;¹⁴⁰ and a joint risk-assessment undertaken by Centre staff and healthcare staff within 24 hours of arrival.¹⁴¹
- 4.46 Paragraph 18 is clear: “Any changes to the physical or mental health of a detainee, or a change in the nature or severity of their identified vulnerability, that may impact on the decision to detain must be notified to the Home Office case owner as a matter of urgency and within 24 hours to enable them to undertake a review of the appropriateness of the individual’s continued detention at the earliest opportunity”.¹⁴²
- 4.47 In 2017, the Adults at Risk (AAR) policy in Brook House was incorporated into their Safer Custody guidance document.¹⁴³ By February 2018 Mark Demian, then Head of Safeguarding, referred to weekly AAR meetings.¹⁴⁴
- 4.48 Nonetheless, other than in some documents provided by the Gatwick Detainees Welfare Group,¹⁴⁵ there is scant evidence of the Adults at Risk policy in the materials submitted to the Inquiry. On 14 April 2017, Ms Markwick from the IMB noted under the title of ‘Safer Custody’, that “More work needs to be done on identifying and monitoring adults at risk.”¹⁴⁶ There is also little evidence of staff awareness of the AAR policy in the discussions among officers captured on the unscreened footage in discussions about

¹³⁷ Home Office (2017), Detention Services Order 08/2016: Management of Adults at Risk in Immigration Detention. [HOM002519], Paragraph 6, p. 6.

¹³⁸ Home Office (2017), Detention Services Order 08/2016: Management of Adults at Risk in Immigration Detention. [HOM002519], Paragraph 9, p. 7.

¹³⁹ Home Office (2017), Detention Services Order 08/2016: Management of Adults at Risk in Immigration Detention. [HOM002519], Paragraph 14, p. 8.

¹⁴⁰ Home Office (2017), Detention Services Order 08/2016: Management of Adults at Risk in Immigration Detention. [HOM002519], Paragraph 15, p. 8.

¹⁴¹ Home Office (2017), Detention Services Order 08/2016: Management of Adults at Risk in Immigration Detention. [HOM002519], Paragraph 16 & 17, p. 9.

¹⁴² Home Office (2017), Detention Services Order 08/2016: Management of Adults at Risk in Immigration Detention. [HOM002519], Paragraph 18, p. 9.

¹⁴³ G4S Gatwick IRCs Safeguarding Policy. 09 May 2013, [CJS006379].

¹⁴⁴ Transcript of Verita's Independent Investigation into Brook House interview with Mark Demian, Head of Safeguarding, dated 01/02/2018, [VER000217], p. 4.

¹⁴⁵ Draft transcript (edits by JW and HC) from an interview on 13/02/2018. Interview is with members of GDWG: James Wilson (Director), Hannah Chambers (Researcher), and Anna Pincus (Senior Caseworker and Outreach Coordinator). The interview forms part of Verita's investigation into Brook House, [VER000249].

¹⁴⁶ Note of the Independent Monitoring Board Statutory Visit to Brook House by Elisabeth Markwick on 24/04/2017 - 30/04/2017, [IMB000051], p. 4.

the mental and physical health of the detained men. Under these circumstances it is unclear to me how or whether Brook House was operating the AAR policy in practice.

Drug Use

- 4.49 BBC Panorama shows a number of men having what appear to be seizures caused by drug use. The undercover footage and minutes from security meetings both suggest that, in 2017, Brook House experienced a serious drug problem caused by the presence of 'psychoactive substances' otherwise known as 'spice'. Numerous pieces of footage show officers and healthcare staff running to help men who are having seizures in different parts of the centre.¹⁴⁷ Officers discuss days with multiple 'incidents.'¹⁴⁸ They also debate how drugs were entering the institution.¹⁴⁹
- 4.50 The materials submitted to the Inquiry thus far offer a range of explanations for the presence of drugs in Brook House. While some allege that drugs were being passed in via visits,¹⁵⁰ others refer to individual officers whom they claim were dismissed for bringing drugs into Brook House.¹⁵¹ Whatever the source of these illicit substances, the evidence seems clear that in 2017 spice was readily available in Brook House and that it made some men very ill.¹⁵² This breakdown in security placed significant additional pressures on custodial staff.

Conclusion and Preliminary Recommendations:

- 4.51 One of the most common staff complaints in the materials provided to the Inquiry concerns the lack of visibility of the Senior Management Team (SMT) within Brook House.¹⁵³ Staff also complained about favouritism and inequality, and about the lack of appreciation for long-serving staff.¹⁵⁴ In an interview with Verita on April 11, 2018, two DCOs, Nick Lampard and Yvonne Fuelle report that, "it seems the SMT are up in the ivory tower... They should treat officers like officers and not like a number, basically, blue shirt, white shirt, regardless."¹⁵⁵

¹⁴⁷ See for example TRN0000083 pp. 3-12; at 02:26:23 a man lying on the ground and retching outdoors in the yard. He seems to have lost consciousness.

¹⁴⁸ A 13-minute clip in which officers discuss the growing problem of spice in the centre [TRN0000032, p. 29].

¹⁴⁹ A 6-minute clip in which officers discuss how spice is entering Brook House, [TRN0000023, pp. 2-3].

¹⁵⁰ In a 10.53-minute clip Mr Tulley talks with a female DCO who says she finds and confiscates drugs regularly during her work on visits, [TRN0000084, p.20] and [TRN0000032 pp. 28-29] for a discussion about why the detained men use drugs.

¹⁵¹ In a 6-minute clip officers discuss how the level of drugs in Brook House declined after a specific officer was suspended, [TRN0000023, p. 2].

¹⁵² Many pieces of unscreened footage show drug-related incidents. For example, Mr Tulley responds to a call for staff to a medical emergency on A-Wing. They place the man on a chair and take him down to E-wing, [TRN0000095 pp. 52 - 62].

¹⁵³ See, for example, Independent Investigation into Brook House, transcript of interview with DCO Yvonne Fuelle and DCO Nick Lampard on 11/04/2018, [VER000234], p. 13.

¹⁵⁴ Such issues appear in a wide-ranging conversation over lunch, [TRN0000095, pp.26-29]; Verita Independent Investigation into Brook House - Interview with DCO Gary Siggins, dated 14/02/2018, [VER000265], pp. 6-7.

¹⁵⁵ Verita Independent Investigation into Brook House transcript of interview with Conway Edwards, Diversity and Race Relations Manager, Gatwick IRCs, base at Brook House on 26/1/2018, [VER000224], pp 13 – 14.

- 4.52 Senior managers claimed they were unaware of the unprofessional treatment of detainees by some DCOs and DCMs. They also appeared to have been unaware of conflict and tensions among the officers. Under these circumstances, DCOs and DCMs hesitated reporting their concerns or in challenging the behaviour of those around them. Formal attempts to assist staff in managing their work, such as the whistleblowing service and a telephone wellbeing service, were widely considered to be inadequate, even by senior managers.¹⁵⁶
- 4.53 The lack of formal and informal interactions between senior management and DCOs draws into question the extent to which the SMT were aware of the kinds of problems staff and the detained community were facing. This was the first failure of oversight, and is one that, moving forward, should be remedied by relocating SMT out of the administrative offices for greater portions of their day, and by moving their offices into the main body of the building. More attention should also be paid to formal and informal communication channels. Obvious solutions include creating a formal mentoring system and scheduling regular drop-in sessions.
- 4.54 Each of the non-custodial members of staff contribute in different ways to the culture of a custodial institution. Together, they should have provided some bulwark against the kinds of actions that were identified in the BBC Panorama documentary. However, it seems from the evidence submitted that their impact was constrained by a lack of clear communication pathways to the Senior Management Team or to one another. The role of monitoring in effecting change will be dealt with at the end of the report.

5. Staff Recruitment, induction, and training

- 5.1 As part of this inquiry into staff culture, I have been asked to comment on the appropriateness of staff recruitment, induction, and training, including with regard to detained persons' welfare. While these matters are primarily ones about process, they raise other questions about people's motivation for taking this kind of work which may be relevant for understanding how they perform their tasks and view their role.
- 5.2 As already noted, Brook House ran regular recruitment drives in 2017 in a bid to fill and refill their custodial positions. While I have been unable to locate details about the recruitment process used at the time, an online advertisement posted on 3 May 2019 for a Detainee Custody Officer at Brook House, nearly two years after the BBC Panorama exposé, shows how G4S defined the role then:

“G4S is responsible for providing a safe and supportive environment for people being detained due to their immigration status. Our two Immigration Removal Centres, Brook House and Tinsley House can accommodate just

¹⁵⁶ Verita Independent Investigation into Brook House, transcript of second interview with Lee Hanford on 29/05/2018, [VER000239], pp. 25 – 26.

under 600 male detainees with an ever changing population from a variety of backgrounds, all with different faiths, beliefs and values.”¹⁵⁷

- 5.3 In setting out the kind of person the company hoped to recruit (for a salary of Commercially sensitive p.a. on a 40 hour per week shift work pattern¹⁵⁸), the ad went on:

“We’re looking for people with great life skills, empathy and integrity to join our team of Detainee Custody Officers.

Working in an Immigration Removal Centre isn’t just about keeping people detained. With a calm, firm but fair and non-judgemental approach, you’ll also need to be a listener, counsellor and peacekeeper. Working as part of a disciplined and professional team is vital in this 24/7 environment. All these qualities coupled with a vigilant and versatile approach are what make a good DCO...

This is a challenging role where no two days are the same but there is a real opportunity to make a difference to people’s lives...If you join us, you can be sure that you’ll find a secure, friendly and professional working environment and be given all the support, training and encouragement you need to build and develop a successful career with us.”

Those who pass through the first stage of the application process are placed on an ITC which lasts for 8 weeks. During the final two weeks, new recruits shadow a member of staff onsite before being issued with their own keys.¹⁵⁹ From the start of the ITC, new recruits draw the same salary as fully trained DCOs.

Staff Training

- 5.4 Although there is a national system of IRCs, and detained people are regularly moved around them, the different companies running the centres do not share their staff training materials with one another. Instead, they all design their own programs to fulfil the specifications set out by the Home Office in the relevant Detention Services Order concerning *Detainee Custody Officer and Detainee Custody Officer (Escort) Certification*, which was updated in 2018.¹⁶⁰
- 5.5 Most of the training is delivered via PowerPoint, with some scheduled role-play sessions, problem-solving and tests. Many of the training documents I have consulted had been copied from prison staff training packages designed by the National Offender Manager Service (NOMs). Examples included all the training on mental health

¹⁵⁷ <https://careers.g4s.com/en/jobs/detainee-custody-officer/18801>.

¹⁵⁸ In 2017, the annual salary was much the same, but correlated to a 48-hour week.

¹⁵⁹ Brook House IRC Operational Instructions - Induction Policy - Annex C - Detention Centre Compact - incomplete 01.05.2011, [CJS006085].

¹⁶⁰ Home Office (2018) *Detention Services Order 02/2018: Detainee Custody Officer and Detainee Custody Officer (Escort) Certification August 2018*. Available at:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/732706/02_2018_Detainee_Custody_Officer_and_Detainee_Custody_Officer_Escort_Certification.pdf

documents,¹⁶¹ suicide and self-harm.¹⁶² In 2018, Verita counted that “prison” and “prisoner” appeared 1014 times in the “presentations, handouts, trainers notes, and other documents supplied to us as part of the training pack”.¹⁶³

5.6 The balance of time allocated to different topics in the training documents shared by G4S shows an emphasis on security-related material.¹⁶⁴ In a schedule from June 2017, over 8 weeks DCOs received:

- 5 days of training in Control & Restraint plus an additional half a day training in how to do a “rub down search”;
- 3 days of First Aid training;
- 2 days of ‘Interpersonal Skills’;
- 2 days of ‘Security’;
- 1 day each of: ‘Safeguarding’, ‘Safer Custody’, ‘First on Scene’, ‘Health & Safety’, ‘Fire Marshall training’, ‘Acting Inclusively’, and ‘G4S and its vision’;
- 4 hours on ‘Introduction to mental health’ and ‘Counter-terrorism’;
- 2.5 hours on training on ‘Immigration & Asylum’;
- 1.5 hours on ‘Human Rights’.

In week 6, trainees move out of the classroom and into an IRC, to complete 5 days of ‘shadowing’ during which they follow an experienced officer in the centre, to learn on the job. If they pass the test at the end of week 7, they do an additional 5 days of shadowing, before becoming fully operational and being issued with a set of keys.

5.7 Once in post, staff are meant to receive annual refresher courses. However, the content of this additional training is hard to interpret in the materials provided to the Inquiry. Thus, despite the paperwork relating to a refresher course on diversity,¹⁶⁵ Mr Conway Edwards, then Diversity and Race Relations Manager at Brook House reported to Verita in 2018 that diversity had been dropped from the refresher training program.¹⁶⁶

5.8 In 2017 there was no specific training offered to staff working on E-Wing despite the acknowledged vulnerability of those detained there.¹⁶⁷ Officers complained that they had, likewise, received no additional training for roles that came with more

¹⁶¹ see for example, NOMS introduction to mental health, 070520-Exiv-0198, [CJS006281].

¹⁶² see for example, ‘Myths and Facts about Suicide’, [CJS006294]; ‘Role playing ACCT assessor Skills’, [CJS006295]; ACCT Forms, [CJS006296].

¹⁶³ Count of occurrences of the word ‘prison’/‘prisoner’ in Gatwick IRC training, undated, [VER000208].

¹⁶⁴ June 2017 ITC, [CJS006085].

¹⁶⁵ ‘Diversity DCO Refresher 2014’, 070520-Exviii-0015, [CJS006411]; ‘Diversity Refresher Quiz 2018’, [CJS006412].

¹⁶⁶ Independent Investigation into Brook House transcript of interview with Conway Edwards, Diversity and Race Relations Manager, Gatwick IRCs, base at Brook House on 26/1/2018, [VER000224], p. 4.

¹⁶⁷ Independent Investigation into Brook House interview (transcript) with David Waldock, DCO on E Wing, dated 11/04/2018, [VER000219], p. 2.

responsibility, for example around diversity¹⁶⁸ or in activities.¹⁶⁹ The GP, Dr Husein Oozeerally, noted that there was no training specifically in immigration medicine notwithstanding the complex needs of the population.¹⁷⁰

Conclusion and Preliminary Recommendations:

- 5.9 A common criticism in the submitted materials, both in the footage and in the interviews by Verita, is that staff had very little sense of the job and its challenges before they started, even after completing their periods of shadowing.¹⁷¹ Such matters, officers allege, cause some new recruits to leave once they understand the work environment better, a situation that requires the company to recruit again.
- 5.10 While officers suggested that a more extended period of time in the IRC before enrolling in the training course would help, in 2018, Stephen Shaw noted the lack of a graduate recruitment pathway modelled on practices in the prison service and the police.¹⁷²
- 5.11 It is unclear whether the companies or the Home Office have considered Stephen Shaw's suggestion, nor whether it would prevent the kinds of behaviour that appeared on Panorama. However, creating a graduate pathway would acknowledge some of the complexities of this job and potentially assist in professionalising it. Such a programme would require higher salaries to attract people to the post, a development that, in itself, would no doubt be welcomed, since the current level of pay has changed little over the past ten years.
- 6. Examination of whether any aspect of the culture or management at Brook House led, or contributed, to an environment in which detained persons came to be mistreated.**
- 6.1 Brook House, like all IRCs, is a hierarchical organisation. In such an organisation, the SMT, under the guidance of the Director/Centre Manager, is meant to set the tone, as well as to create and monitor the documents and framework governing staff behaviour.
- 6.2 Although there is a national system of immigration detention, the contracted nature of the detention system means that when a contract changes hands senior staff are more likely to leave than DCOs. They tend to take up a new role in another institution or part of the company, while DCOs and DCMs remain in post, and are moved over to the new contract.

¹⁶⁸ Independent Investigation into Brook House transcript of interview with Conway Edwards, Diversity and Race Relations Manager, Gatwick IRCs, base at Brook House on 26/1/2018, [VER000224], p. 2.

¹⁶⁹ Independent Investigation into Brook House - Interview with Activities DCM Luke Odey, dated 11/04/2018, [VER000261], p. 4; Independent Investigation into Brook House, transcript of interview with DCM Ryan Harness on 26/03/2018, [VER000238], p. 2

¹⁷⁰ Independent Investigation into Brook House, transcript of interview with GP Dr Husain Oozeerally on 01/05/2018, [VER000235], p. 3.

¹⁷¹ [TRN0000028, pp. 3-4].

¹⁷² Transcript of Ed Marsden Meeting notes with Stephen Shaw dated 06/11/2017, [VER000194], p. 1.

- 6.3 This aspect of the career structure is heightened by the pay differentials, and by the fact that, unlike prisons (for example), it is still relatively unusual for members of the SMT to rise up through the ranks from a DCO position. Instead, they tend to move laterally either from another IRC or from a prison. This arrangement creates a large gap between the SMT and those working ‘on the shop floor’, placing pressure on the role of the DCM.
- 6.4 Many of the staff in Brook House captured on the unscreened footage in 2017 or interviewed by Verita in 2018 claimed that the centre was not well-managed. DCOs regularly complained to one another about inadequate oversight from senior management.¹⁷³ They were also concerned about staff turnover¹⁷⁴ and insufficient staff numbers,¹⁷⁵ particularly on the housing units.¹⁷⁶ They were worried about inexperienced new colleagues,¹⁷⁷ and felt as though they had little support.¹⁷⁸
- 6.5 In 2017, the evidence suggests that, at least on E-Wing, the gap between the SMT and the DCOs was filled by a core group of DCMs who favoured an aggressive, authoritarian style of management.¹⁷⁹
- 6.6 After the exposé, in interviews with Verita, a number of DCOs claimed they had felt undermined by some of these more senior colleagues, an experience they reported, which had left them feeling anxious and unsure of themselves.¹⁸⁰ The lack of visible SMT presence, and the infighting among that senior staff complement, seems to have left some DCOs feeling unable to report problematic behaviour.

Conclusion and Preliminary Recommendations:

- 6.7 Staff testimonies from all levels,¹⁸¹ as well as some of the concerns expressed by the detained population on film, suggest that in 2017, Brook House was a very low trust

¹⁷³ In a 12.40-minute clip, officers complain about a variety of aspects of the SMT [TRN0000023, pp. 10-12]

¹⁷⁴ For example, in a discussion on 6 June 2017, a male manager tells Mr Tulley that “HR told me today the two officers they signed, were signed on the weekend, threw the badge and say ‘we go’... It’s too much. It’s too much. The job, if you have a bad day, and you’re on your own, especially new people... You cannot put new people in the first month and give them one day off... Because they’re going to walk away...” [TRN0000081, p. 8].

¹⁷⁵ At the start of a 15-minute clip a female DCO complains about having been left on her own on a housing unit despite only having been in post for 3 weeks [TRN0000093, p.24].

¹⁷⁶ A female DCO complains about being left on her own on a housing unit with 128 men to look after [TRN0000035 pp.1-3]; [TRN0000089, p. 9]

¹⁷⁷ [TRN0000020 pp.1-2]; [TRN0000035 p. 16]

¹⁷⁸ As above, see [TRN0000035 pp.1-3]; See also Independent Investigation into Brook House, transcript of interview with DCM Ryan Harness on 26/03/2018, [VER000238], p. 9.

¹⁷⁹ See, for example, Independent Investigation into Brook House interview (transcript) with David Waldoock, DCO on E Wing, dated 11/04/2018, [VER000219].

¹⁸⁰ See, for example, Independent Investigation into Brook House - Interview with Owen Syred (Welfare Officer) - 11 April 2018, [VER000252], p. 14; and Independent Investigation into Brook House - Interview with DCO Gary Siggins, dated 14/02/2018, [VER000265], pp. 6 – 7.

¹⁸¹ Independent Investigation into Brook House - Interview with Stewart Davis (ACO) - 23 April 2018, [VER000260].

environment. Staff mistrusted senior officers,¹⁸² one another, and the detained population.¹⁸³

- 6.8 Those who were detained also found it hard to have confidence in the officers. When a DCM tells a man on E-Wing, as part of a wider conversation that, “we need to build up the trust again”, the detained man replies, “What trust? There is no trust between me and you. I’m not going to trust you and you’re not going to trust me.”¹⁸⁴
- 6.9 While it is tempting to see such matters in personal terms, as a result of individual poor behaviour, a low trust environment is also one where the processes which govern it are not functioning properly. G4S has shared with the Inquiry a vast amount of paperwork and regulations pertaining day-to-day operations. These range from guidelines concerning temporary confinement,¹⁸⁵ induction processes,¹⁸⁶ E-wing policy,¹⁸⁷ to documents about preventing corruption and staff wrongdoing,¹⁸⁸ and safeguarding.¹⁸⁹ There was a drug and alcohol policy,¹⁹⁰ and information about daily cleaning logs.¹⁹¹ There are also multiple Home Office orders and guidance all of which are transposed into local processes.
- 6.10 All this material demonstrates that Brook House had processes in place that should have prevented the kinds of behaviour evident on BBC Panorama. However, it is unclear how such documentation is communicated to staff and monitored. The sheer length of some of the documents suggest that there may have been little expectation of them being read by anyone other than their author.
- 6.11 Moving forward, it would be advisable to explore new ways of transposing these key documents into usable and accessible materials. Such materials should also be made available for the detained population so that they could have greater knowledge about their rights and the framework governing immigration detention. This information would assist them in making sense of their confinement and, where necessary, in challenging inappropriate staff behaviour and practices.

¹⁸² [TRN0000076, pp. 2-4].

¹⁸³ Videoed interview with CT regarding a Kosovar detainee who threatened CT, events in E wing when he apologised, and Yan Paschali's new job (last day on shift), [CPS000037].

¹⁸⁴ [TRN0000090, p.16].

¹⁸⁵ G4S Temporary Confinement, operational instructions, last reviewed September 2016, [CJS006041].

¹⁸⁶ G4S Induction Policy GAT-012 To inform detainees about the detention center life, the regime and their responsibilities, service and support available to them; dated 01/08/16, [CJS006042].

¹⁸⁷ G4S E Wing Policy; last updated September 2018, [CJS006043].

¹⁸⁸ G4S Corruption Prevention, Preventing & Handling Staff Wrongdoing Policy Document by Head of Security Michelle Brown; October 2017, [CJS006062].

¹⁸⁹ G4S Gatwick IRCs Safeguarding Policy. 09 May 2013, [CJS006379].

¹⁹⁰ G4S Drugs & Alcohol Strategy 2017/2018 (latest review March 2018), [CJS006064].

¹⁹¹ Daily Cleaning Log - blank – Undated, [CJS006263].

7. Examination of whether, and if so, to what extent, issues of gender, race and language played any part in any mistreatment of detained persons.

- 7.1 In 2017, Brook House held adult men from a wide range of nationalities, who identified with a variety of ethnicities, races, and religions. While statistics are unavailable about such matters relating to staff, on the footage most of the officers appear to have been young, white, and male. The footage also suggests that some of the detained men were unable to speak English fluently. Such matters have been shown in research to shape daily life in detention in important ways, affecting both the detained population and the officers who work there.¹⁹²

Race

- 7.2 As I will set out in the following section, in addition to evidence of explicit racist interactions, unscreened footage and interview material suggests that at least some staff differentiated more subtly between individuals on the basis of their perceived race and ethnicity. For example, in an interview with Verita on 28 March 2018, DCM Ramon Giraldo, who, in 2017 was head of activities at Brook House, reminisced about his early days in Brook House:

“when I came here, when this place was having a lot of trouble with the detainees, the detainees were running this place... you couldn’t walk on the landing without people, Jamaicans or Africans or whatever, standing on the top of the landing and saying ‘you are not coming over here. This is our landing’.”¹⁹³

In his interview with Verita in 2018, then Deputy Director Steve Skitt notes in passing, that Albanians “have no respect, the way culturally they are. In their own country they work in clans”.¹⁹⁴ In the footage, a DCO repeats similar views:

“it’s all games anyway... it’s just a game to them.... they go to whatever country. It doesn’t matter where. They go to whatever country. They don’t want to come here legally; they want to do it illegally under a lorry, back of a bus, whatever. And they arrive here, they get away with doing work, getting paid cash, paying no taxes, mate. You know, all this sort of stuff... It’s just a game. They get caught, they come in here. They get sent back, they come back again. Why? Because everything’s here. They don’t have this sort

¹⁹² M Bosworth (2018) “‘Working in this place turns you racist’: Staff, Race and Belonging in Immigration Detention”, in M Bosworth, A Parmar and Y Vázquez (Eds) *Race, Migration and Criminal Justice: Enforcing the Boundaries of Belonging*. Oxford: Oxford University Press. pp. 214 – 228; M Bosworth (2021) ‘Immigration Detention and the Production of Race in the UK’, in C Dauvergne (Ed) *Research Handbook on the Law and Politics of Migration*. London: Edward Elgar.

¹⁹³ Transcript of interview with Ramon Giraldo, dated 28 March 2018., for the Independent Investigation into BH by Verita, [VER000215], p. 4.

¹⁹⁴ Independent Investigation into Brook House, transcript of interview with Steve Skitt (Deputy Director), 27/11/2017, [VER000248], p. 15.

of shit going on over there in Albania or Poland or - ... They don't have this great, amazing benefits system... So they come over here. It's incredible."¹⁹⁵

- 7.3 Ideas of race and ethnicity also appear to have shaped some interactions among the detained population. Thus, for example, one man on E-Wing – who had served in the British armed forces before ending up in prison, expressed open hostility to Muslims.¹⁹⁶ While Mr Tulley challenged some of his statements, he does not appear to have pursued any formal sanctions.¹⁹⁷ Similarly, the footage captures at least two violent incidents among the detained population which may have had racialised roots yet are not responded to as such. A Chinese man is attacked, and, in a separate incident a Jamaican man has some of his hair pulled out by another detained man.¹⁹⁸
- 7.4 It may be that investigations into the influence of race on these conflicts did occur, but they are not shown in the footage or in the documents I have consulted.

Gender

- 7.5 Brook House is an institution for adult men. In the unscreened footage, there is considerable evidence of widespread sexism from the officers and from the detained men, captured both in chit chat about women in general and in comments made towards specific members of staff.¹⁹⁹ There are also some instances of homophobia. In one three-minute clip, a male officer complains about a female officer who was unfriendly to him. He then jokes about trying to convert her from being a lesbian.²⁰⁰
- 7.6 Male officers sometimes speak dismissively of their female colleagues. Some are paternalistic and do not think women should be working in Brook House. "There is no way I'd let my sister, mother, missus, or any other female I care about work here", DCO Yan Paschali claims.²⁰¹ Others raise questions about women's ability to manage the physical demands of use of force. In one 9-minute clip, for example, male staff worry about managing a man who is to be removed; "...when I've only got for example, a female on my wing ... you know, I'm fucked," an officer comments.²⁰² Numerous sexist jokes are made, sometimes in front of detained men. Few women appear in the footage. Male staff joke about having sex with their female colleagues.²⁰³

¹⁹⁵ [TRN0000083, p. 15].

¹⁹⁶ [REDACTED].

¹⁹⁷ [REDACTED].

¹⁹⁸ The man whose hair has been pulled out threatens violent retaliation, officers spend most of the clip discussing the case [TRN0000088, pp. 12-13].

¹⁹⁹ see for example, TRN0000032 pp.29-30; also the 12-minute clip from E-wing [REDACTED].

²⁰⁰ See, for example, the 3-minute clip, [REDACTED]; In an interview with Verita in 2018 an officer from E-wing accuses members of the SMT of being homophobic. There is no way of verifying such claims. Independent Investigation into Brook House interview (transcript) with David Waldock, DCO on E Wing, dated 11/04/2018, [VER000219], p. 16.

²⁰¹ [REDACTED].

²⁰² TRN0000022, p. 8.

²⁰³ See for example, after a female officer leaves, Mr Tulley asks his colleague Mr Dan Small, "so, what do you reckon?" Mr Small replies, "yeah, I'd give her a knock. I know where she lives." His male colleagues laugh in response [nb. This is not reflected in TRN0000092, p. 21].

- 7.7 This culture is evident in the footage, particularly in the excessive amount of swearing. Officers repeat stories of conflict and violence and make sexist or homophobic jokes and comments.²⁰⁴ During a long wait in a stairwell before a planned use of force by the Prison Service, all of these issues are evident as officers discuss multiple experiences of use of force. This lengthy clip also includes racist, sexist and homophobic comments and a lot of swearing.²⁰⁵
- 7.8 Some examples offer an illustration of the kinds of things that were said. In one of the pieces of footage, for example, one of the managers, identified in the transcript as Mr Steve Webb, responds to a man who is complaining about having been placed on the 'Care and Separation Unit', and is demanding a shower and cigarettes, "no one wants to fucking be here. I don't want to fucking be here."²⁰⁶ The dispute continues for over an hour, during which the man continues to cover the window in the door, forcing Mr Tulley to remove it.
- 7.9 On E-wing, one of the DCMs, Mr Derek Murphy, explains to Mr Tulley and another officer called Gary, that "they [the detained men] have to know that I am not going to take any shit off them. And then you can go in with the care bear's head on, you know... I find that works... put them on the bed by the scruff of their neck or whatever. And then sit down and it's alright. Talk to them like fucking men."²⁰⁷
- 7.10 Also on E-wing DCO Mr Yan Paschali refers to a conversation he was having with a detained man in the following terms: "He said my heart is hurting. I miss my mummy and my daddy. And I said, mate, fucking grow up, be a man."²⁰⁸
- 7.11 There is no evidence that such comments were officially monitored, recorded, or challenged.

Language

- 7.12 Finally, interactions with detained men varied depending on the men's English language proficiency. Unlike other establishments, such as IRC Heathrow, which has employed a number of officers who can speak languages other than English, there was little evidence in the material submitted to the Inquiry that staff spoke anything other than English, except for the English teacher, who was Spanish.
- 7.13 In the footage, there is not much verbal interaction between staff and the detained men at all, particularly not with those who struggled to speak English.

²⁰⁴ See for example, [TRN000031, p. 5].

²⁰⁵ The staff wait from around 01:42:18 to 04:59:00 - KENCOV1019 BBC000096 V2017051700018 [TRN0000085 pp. 72-80] and V2017051700019 [TRN0000085 p.81] - in the end, their services are not needed. See also examples in the following Transcripts: TRN0000085, p.21, p.24, p.35, p.40, pp.43-46, p.48, p.54-56, pp. 62-63, pp. 64-65, pp.66-67, pp.70-71, p.72.

²⁰⁶ [TRN0000094, p. 12].

²⁰⁷ [TRN0000092, p. 32].

²⁰⁸ [TRN0000077, p. 40].

- 7.14 In 2017, Brook House officers would have had access to a telephone translation service. However, it does not seem from the footage that this tool was used often in everyday interactions. Instead, staff are shown either relying on other detained people to translate for them,²⁰⁹ or trying to communicate with detained men using a dictionary.²¹⁰
- 7.15 In on one clip, for example, concerned about the burns evident on a man who is struggling to walk, DCOs confer about taking him to healthcare, unsure of whether he is in pain or not. “What’s the word for pain in Chinese”, one of them asks the other. While they eventually find a dictionary, it is of no use because the man is unable to read.²¹¹
- 7.16 On another occasion, by contrast, a translator speaks to a detained man in his own language. This interaction is followed by a conversation between Mr Tulley and a female officer who states that she had kept the man on the wing to help him.²¹²
- 7.17 More broadly, as noted already, the footage shows a completely unacceptable level of swearing among the staff. The language they use is coarse and aggressive, often sexist and sometimes racist or homophobic. They not only swear about the detained men, referring to them among themselves as “cunts”, “twats,” and “fuckers”,²¹³ they swear at them directly. Thus, for example, in the CSU, a DCO argues with a man who is asking to have a shower and to go to the shop before a DCM intervenes, yelling: “Shut up a minute... Your fucking attitude... Piss us off and you won’t have a fucking shower.”²¹⁴
- 7.18 On occasion staff also refer to colleagues in similar derogatory terms. In one conversation about a new recruit, an activities officer asks “Who’s that cunt?... he’s that Asian guy... he’s an officer. He’s an absolute dick head...He walks around like he fucking owns the place...”²¹⁵

Conclusion and Preliminary Recommendations:

- 7.19 The impact of race, gender and language on the treatment of detained persons can only be guessed at, given the lack of formal evidence gathered about them. Unlike prisons, for instance, which are required to record the race of all those involved in incidents, there appears to be no requirements to monitor it in the provision of allocated paid work, and other aspects of regime in IRCs like Brook House. Bringing in a formal monitoring of such matters would be an important first step towards understanding the impact of race on daily life.

²⁰⁹ In this 2-minute clip Mr Tulley asks a detained man if he is looking after another man who cannot speak English whom Mr Tulley suggests may have “learning difficulties”, [REDACTED].

²¹⁰ For example, in a 20-minute clip a man on E-wing uses a dictionary to find words to describe to Mr Tulley how his family were killed in a bomb blast, and to describe his nightmares and other visions and fears [TRN0000026, pp. 5-9].

²¹¹ [TRN0000031 pp. 6-7].

²¹² [TRN0000023, p. 21].

²¹³ See, for example, the discussion with a detained man on the 12.3-minute clip, [TRN0000079, p. 7].

²¹⁴ [TRN0000094, p. 13].

²¹⁵ [REDACTED].

- 7.20 For those who are not fluent in English, detention can be a particularly difficult experience. The language gap may also contribute to staff indifference and distance from the detained population. To address such matters, the IRC and the Home Office should hire more staff at all levels of seniority who speak multiple languages.
- 7.21 The coarse language evident in the footage could be evidence of high levels of frustration among the staff. However, its ubiquity also suggests that nobody was worried that they would be reported for its usage. The number of DCMs who also adopted this form of language would have left those who may have wished to challenge it, without many options. In the footage, one DCO, who had previously worked at HMP Bristol did complain, saying “It’s unprofessional here...You get staff that call detainees dickheads to their faces and staff like that.”²¹⁶
- 7.22 In 2018, Hibiscus staff reported concerns that G4S staff and external trainers had continued to use inappropriate language during training when referring to the detained population.²¹⁷
- 7.23 Although representation cannot prevent racist or sexist practices and beliefs, I recommend hiring more women and BAME staff and promoting them to DCM and SMT roles as an important first step in trying to develop a better understanding of the impact of race and gender on the culture of Brook House. Additional training and refresher courses on diversity with input from the detained population could also be a useful educational tool.
- 7.24 More attention also needs to be paid to masculinity. Much of the day-to-day work of a DCO is service work; officers monitor food, clear rooms, assist men in gathering information about their cases and family contacts. Outside an IRC this kind of work would be considered stereotypically feminine. This work is also often rather tedious and low status.
- 7.25 For an institution to be caring and secure, these roles and tasks need to be valued. While G4S include in their training material a session on “customer service”,²¹⁸ which emphasises “going the extra mile”, the definition of the “customer” is unclear since the slides identify a range of figures including detainees, the Home Office, Aramark and G4S integrated services as such.²¹⁹ In any case, the weight of the training and governance documents is around security and risk. Even the “customer service” session ends with a warning against contact with the media.
- 7.26 Given the confusion around the definition of “customer service” in a custodial environment, I recommend the adoption of new rights-focussed approach and framework to clarify the role of the officers. As part of this approach, new terminology

²¹⁶ This conversation occurs in a 16-minute discussion about working conditions [TRN0000032, p.14].

²¹⁷ Email chain revolving around email from Donna John (Hibiscus Initiatives) to Sarah Newland and Michelle Smith dated 26/02/2018, [VER000113]; also, Observations from Personal Protection Training, dated 22/02/2018 [VER000115] concerning the same event.

²¹⁸ G4S Gatwick IRCs Customer Service ITC Package Undated, [CJS006114].

²¹⁹ G4S Gatwick IRCs Customer Service ITC Package Undated, [CJS006114].

in training and policy would emphasise the rights and dignity that flow from being human.

7.27 In this work the Home Office and the private contractors could be guided by the experience of the prison service in its adoption many years ago of the 'decency agenda'. What began as a question to staff: "if my son or daughter were ever to prison, would I be content for them to be treated in the way that prisoners are treated in this prison," evolved into a series of measures of experiences of custody which lead to significant changes in prison life.

7.28 The 'decency agenda' emphasised the rights of officers to work in a decent (clean, safe) environment. In similarly linking staff and detainee welfare together, staff in IRCs could encouraged from the start to see that respecting the rights and dignity of those who are detained would benefit them as well.

8. Examination of whether there was a prevalence of racist attitudes/behaviours in the staff at Brook House and the effectiveness of the measures for addressing such attitudes/behaviours.

8.1 On BBC Panorama on at least one occasion an officer is shown using a racist epithet in reference to the detained men. More commonly, there and on the unscreened footage, officers speak about distressed men in unprofessional and uncaring ways. The materials submitted to the inquiry include a number of formal allegations of racism and homophobia which were investigated by the Home Office Professional Standards Unit (PSU). Although most were found to be unsubstantiated, the PSU acknowledged that verbal allegations are harder to substantiate.²²⁰

8.2 Some of the detained men clearly felt that they had received poor treatment due to racism. Files investigated by the professional standards unit attest to their concerns,²²¹ while some of the footage capture men complaining of prejudicial treatment.

8.3 On B-wing, for instance, an officer refuses to give a detained man additional clothes, shouting at him as part of a longer interaction: "Well fucking doing it on your own then...you're whining like a fucking girl... Moaning. Man up."²²² Once the officer leaves the room, the man turns to the remaining staff and says: "Prick. Fucking racist prick. Look at you, you look like some EDL guy. Fucking dickhead. Racist prick. Shut up man. You get me? Fucking prick," when challenged by an officer about this accusation

²²⁰ See, for example: Home Office Security Professional Standards Unit Investigation Report on D1527 by Investigating Officer Julie Galvin, 22 February 2018, [CJS001107]; Home Office Security Professional Standards Unit, investigation into the circumstances surrounding the complaint allegation by D687 that officers at Brook House IRC used excessive force on 13/05/2017, were verbally and racially abusive during his detention and the mental health care was inadequate, dated 20/02/2018, [HOM002725].

²²¹ Home Office Security Professional Standards Unit Investigation Report on D1527 by Investigating Officer Julie Galvin, 22 February 2018, [CJS001107]; PSU Investigation report re D668's complaints that staff at Brook House were rude and ignored complaints regarding other detainees and the toilet facilities are inadequate and lacked privacy, 21.02.2018, [HM002748].

²²² [TRN0000080, pp. 2-3].

of racism he replies “he’s a fucking prick, I don’t need to argue about it you know... he works for the fucking KKK bro. Fucking prick.”²²³

- 8.4 In the corridor, footage captures a detained man yelling at a female welfare officer “You lot are racist man, racist as fuck man”.²²⁴
- 8.5 Staff make occasional racist comments in passing and in general conversations about matters beyond the IRC. For example, in a discussion about living in London, one of the activities officers, Mr Dan Small, says “Spot the white person when you go to London, it will never happen. I would never ever move to London... it’s just too busy for me, mate. It’s overpopulated. It’s over expensive. Minority white people”.²²⁵ In another discussion with Mr Tulley about a planned trip to the US, this same man says he would not want to travel to Cleveland in the US because “it’s 80% black.”²²⁶ Likewise, in conversations about celebrities or travel, the DCOs (including Mr Tulley) frequently make sexist comments about their sexual attraction to foreign or ethnic minority women.²²⁷
- 8.6 On at least one occasion colleagues refer to another member of staff in racially derogatory terms. At other times they identify colleagues and detainees in terms of their perceived ethnicity or in explicitly racist terms. On E-Wing, for example, the officers discuss a new member of staff approvingly, before asking “is he Asian? I dunno, but he’s not white British”.²²⁸ In the conversation about Cleveland for example, the officers stop when a DCM comes to the door, whom an officer, identified in the transcript as Dan Lake, refers to as “half caste”.²²⁹
- 8.7 In somewhat more subtle ways, officers appear to rely on racialised logics in their interactions with one another and with the detained men. More generally, centre staff appeared to label young black men as potential security threats whereas older Asian men are not. They also sometimes referred pejoratively to specific men in terms of their nationality. In a conversation about a man sent to E-wing due to a health crisis caused by spice, officers initially laugh about his foreign name. Later, when Mr Tulley asks where the man is from, someone replies “Iran... Like the terrorist in ‘Back to the Future’.”²³⁰ In another clip, officers refer to a detained man as “a fucking Serbian cunt”.²³¹

Conclusion and Preliminary Recommendations:

²²³ [TRN0000080, pp. 2-3].

²²⁴ [TRN0000086, p. 2].

²²⁵ [TRN0000092, p. 21].

²²⁶ [TRN0000079, p. 10].

²²⁷ For example, at the end of a 25-minute clip in which they complain about staffing problems, the officers discuss Mr Tulley’s travel plans and the sexual attractiveness of “Colombian women”. Such banal sexist banter is not, in itself, unusual but was part of a general backdrop to how male officers discussed women.

[REDACTED].

²²⁸ [REDACTED].

²²⁹ [TRN0000079, p. 10].

²³⁰ [TRN0000092, p. 47].

²³¹ [TRN0000029, p. 31].

- 8.8 Racism is both an individual experience and a structural one. As an institution that is designed only for foreigners it is perhaps inevitable that IRCs feel racist to those within them. Most of those in detention are from specific countries with have long-term ties to the UK; nearly all the men in Brook House in 2017 were from black or minority ethnic groups.²³²
- 8.9 The High Court judgment *Hussein v SSHD* [2018] EWHC 213 (Admin) considered two claims brought by men detained at Brook House, that the conditions and regime at the centre interfered with religion. The court found that: “that the night state or lock-in regime at Brook House in conjunction with the presence of internal unclosed lavatories and shared rooms (i) constitutes indirect discrimination contrary to Article 9 of the European Convention on Human Rights read with Article 14 which is unlawful unless justified; and (ii) unless justified, constitutes unlawful indirect discrimination contrary to section 19 of the Equality Act 2010.”²³³
- 8.10 Currently IRCs do not do enough to document race and racism within their walls. In this work they could be guided by systems operational in other institutions like schools and prisons, to document the self-identification of detainees and staff.
- 8.11 While the ITC course includes some sessions on diversity and inclusiveness, it is unclear who was consulted in their design. Moving forward it would be good to involve civil society groups with experience in such matters, as well as the detained population themselves. Further research should also be encouraged about such matters.

9. Examination of the physical layout of Brook House and any impact which the physical environment had/has on the culture and behaviours in Brook House, both in relation to detained persons and staff?

- 9.1 Brook House is built to Category B Prison standards of architecture and security with three regular housing units - A, C, and D wings – as well as the induction unit – B wing - - arranged in a classic ‘H-block’ around two external courtyards. These are multi-storied buildings, with the different levels accessed by metal staircase and separated by suicide netting. The showers, with half doors, are located at one end on the top floor. The men are kept in rooms that looks like cells, behind metal doors. These spaces include a toilet, and a small opaque window which cannot be fully opened. The metal door has an observation slot. In 2017, G4S placed an additional bed in some of the rooms which had been designed for two.²³⁴
- 9.2 E-Wing is a single storey unit which backs onto the ‘Control and Separation Unit’ (the CSU). Men were placed in E-wing for a variety of reasons including: ‘constant watch’ for

²³² L Mayblin (2017) *Asylum After Empire: Colonial Legacies in the Politics of Asylum Seeking*. London: Rowman & Littlefield Publishers.

²³³ *Hussein v SSHD* [2018] EWHC 213 (Admin), para. 66.

²³⁴ The reason for these additional beds is not entirely clear in the evidence. In their investigation Kate Lampard and Ed Marsden were told by Jerry Petherick that they were opened in response to needs from HMP to move out time-served prisoners, [VER000263], pp. 14 – 15.

suicide and self-harm; after time in the CSU for fighting; after a health episode including spice; in preparation for a flight; if they were considered vulnerable due to their age or mental or physical health; if they had a problem on the main units. Notwithstanding the complex population placed on E-wing, staff there received no specific or additional training.²³⁵

- 9.3 The footage and documents submitted to the Inquiry contain evidence that different parts of the Centre faced different challenges. Minutes from a security meeting dated 11/05/2017, for example, report that “A wing is known for its drug culture.”²³⁶ E-wing was considered particularly challenging because of the complex needs of the men placed there, while staff in B wing complained about the long-term presence of men who placed there for the ‘single occupancy’ rooms who refused to move to other wings where they would have to share a room.
- 9.4 In 2017, Brook House operated a limited regime of activities which could only be accessed by men from specific housing units at particular times of day. Very little at all was on offer on the weekend. For the most part those on E-Wing took their exercise classes at a separate time to the main building. Throughout the centre, the day was punctuated by regular roll count, during which the detained men were locked up again in their rooms. When the roll count was wrong, as it often appeared to be on the footage, the men would have been locked for even longer periods in their rooms.²³⁷
- 9.5 The prison design of the building is echoed in the language used by all staff, including the IMB. Documents and video footage include frequent reference to “bang up”,²³⁸ and to the men’s bedrooms as “cells.”²³⁹ It was also evident in the number of G4S governance documents that had been adopted from the prison service.²⁴⁰
- 9.6 The documentation that I have consulted suggests that the material conditions in Brook House in 2017 were inadequate in other ways too. The IMB were particularly concerned about the dirty conditions of the housing units and the noise, as well as overcrowding on the wings.²⁴¹ A decision to increase the population by 60 men, who were placed in

²³⁵ Independent Investigation into Brook House interview (transcript) with David Waldock, DCO on E Wing, dated 11/04/2018, [VER000219], p.2. and throughout.

²³⁶ Gatwick IRC Security Meeting minutes dated 11/05/2017. Discussions surrounding safeguarding and further actions to be taken, [CJS000917], p. 2.

²³⁷ See, for example, the 3.4-minute clip [TRN0000023, p. 28]], and the 6.34-minute clip from the same day, [TRN0000023, p. 30].

²³⁸ There are numerous references throughout the footage to “bang up.” See, for example, [TRN0000032, p. 25], Callum Tulley: “Hello fellas. Bang up time, gents, bang up time...What’s going on? Where’s the officers? Hey?”; [TRN0000076, p. 35], Steve Dix: “Yeah just help them bang up”; and [TRN0000082, p. 10], Daniel Small: “I went onto C wing, kitchen, not one of them had started banging up.”

²³⁹ For example, Mr Tulley comments to a detained person, “It’s cooler in the cells than it is out here... it is, I’ve just been in the cells.” [TRN0000083, p. 36].

²⁴⁰ see, for example G4S Gatwick IRCs Policy on Suicide Prevention & Self-Harm Management. September 2016, [CJS006380].

²⁴¹ Verita - Brook House IRC FNO Statistics from 03 January 2017 to 09 January 2018, Undated, [VER000148]

triple bunks, drew particular scrutiny from Verita in their 2018 investigation and report.²⁴²

- 9.7 When I visited in 2019, matters had improved a little, although the negative impact of the building's restricted design remained. The numbers detained had significantly dropped, and have as yet, not regained their earlier levels. Cleaning duties had been returned to staff oversight, with particular DCMs committed to upholding standards. The MQLD survey, administered there in July of that year, suggested that such matters continued as the centre scored well on issues of cleanliness.²⁴³

Conclusion and Preliminary Recommendations:

- 9.8 The design of Brook House Immigration Removal Centre is inappropriate for its purpose.²⁴⁴ The half doors of showers are undignified, while the toilets in the bedrooms and the inability to open the windows create unpleasant living spaces.²⁴⁵ Men on the footage and report that their living spaces became uncomfortably hot in the summer months. These claims are reinforced by details in the IMB minutes.²⁴⁶ There is limited access to natural light and outdoor space as well as only a small area for activities. The daily schedule is punctuated by roll calls during which men are locked back in their rooms.
- 9.9 The restrictions of a Category B prison make no sense for those held under Immigration Act powers. They make the delivery of a humane and supportive regime very difficult.
- 9.10 While the proportion of ex-offenders in Brook House has often been used to justify the secure design, FNO Statistics from 03 January 2017 to 09 January 2018 suggest that their numbers varied considerably from 29% in September 2017 to 53% in January 2018, with a median rate hovering around 36/38.²⁴⁷ In any case, given the administrative nature of their detention in Brook House, their prior criminal sentence is not, in itself, a prima facie explanation for the prison design.

²⁴² K Lampard and E Marsden (2018). *Independent investigation into concerns about Brook House immigration removal centre: A report for the divisional chief executive of G4S Care and Justice and the main board of G4S plc*. London: Verita. pp. 101 – 102.

²⁴³ M Bosworth and A Gerlach (2020) *Quality of Life in Detention: Results from MQLD questionnaire data collected in IRC Gatwick (Brook House and Tinsley House), IRC Heathrow (Colnbrook and Harmondsworth), Yarl's Wood IRC, Morton Hall IRC, and Dungavel IRC: July 4 – September 20, 2019*. Oxford: Centre for Criminology.

²⁴⁴ Brook House Walkthrough Video 1, [CJS004588]; Brook House Walkthrough Video 2, [CJS004589]; Brook House Walkthrough Video 3, [CJS00459].

²⁴⁵ PSU Investigation report re D668's complaints that staff at Brook House were rude and ignored complaints regarding other detainees and the toilet facilities are inadequate and lacked privacy, 21.02.2018, [HOM002748].

²⁴⁶ Complaint by D716 to the IMB re Living [IMB000140]; [TRN000083 pp. 35-37]. In a 13-minute clip, the men refuse to return to their rooms because of the heat, [TRN000083, pp. 38-40]; Complaint by D716 to the IMB re living conditions particularly re: the abnormal high temperatures during the summer, poor ventilation and the prohibition of fans dated 15/06/2017, [IMB000140], p. 1.

²⁴⁷ Verita – Brook House IRC FNO, [VER000148].

9.11 The video footage suggests that it was not just the design of the building that was a problem, but also how the building was staffed and used. Thus, the footage shows staff congregating behind closed doors in the unit offices, rather than circulating around the wing and talking to the detained men. I identified this problem more than ten years ago, during my first research trip in 2011, along with the design of the wing office, where staff sit, defensively, behind a very high bench.²⁴⁸ Wing offices are closed for portions of the day. Even when they are open, the door is normally pulled closed.²⁴⁹

9.12 While some of this defensive behaviour may be attributed to staffing levels, matters are made worse by the inflexible and secure design of the building. These issues undoubtedly shape and reflect the culture of the place. Small bedrooms, and inadequate access to fresh air and sunshine and clean and well-designed outdoor areas, along with corridors, numerous small rooms contribute to a sense of unease and risk. They can also easily make staff unaccountable as they are often out of sight.

10. The role of external agencies in identifying, monitoring, reporting and influencing changes in behaviour and cultures at Brook House.

10.1 As secure custodial sites, IRCs like Brook House are hidden from view, located behind tall fences and often in hard to reach places. Brook House's placement down a service road opposite the runway at Gatwick airport makes it even harder to access. And yet, IRCs remain part of the UK community. More than half of those detained are released back into the community, even if temporarily. IRCs are also visited regularly by members of the public, including friends and relatives of those detained, academics, healthcare workers, volunteers from the local visitor group, legal advocates, the police, and ambulance services. They are also monitored, every few years, by HM Inspectorate of Prisons (HMIP), and on a weekly basis by members of the local Independent Monitoring Board (IMB), and more frequently still, by the Home Office contract monitor.

10.2 In this final section, I examine the evidence on the role of these external agencies in identifying, reporting, and influencing changes in behaviour and culture at Brook House, with particular attention to the role of the IMB and HMIP both of which are part of the UK's National Preventive Mechanism and thus possess statutory rights and responsibilities to monitor conditions in Brook House. I also examine the work of the Gatwick Detainees Welfare Group (GDWG), which, in 2017, offered a range of services to men in Brook House.

10.3 It is worth noting that the Prisons and Probation Ombudsman also plays an important oversight role for complaints and following deaths in Custody, while the Home Office contract monitor and other onsite Home Office staff have a role to play in managing day to day issues and in responding to and resolving allegations. To a lesser extent,

²⁴⁸ M Bosworth (2014) *Inside Immigration Detention*. Oxford: Oxford University Press.

²⁴⁹ In a 12-minute clip from 5 May 2017, officers have closed the office for lunch and are discussing drug use in the centre and criticising the SMT. When men knock on the door, they shout at them to say the office is closed. One man requests to go to Friday prayer. Mr Tulley lets him out.

academics, lawyers, family members and friends may gather information, although pathways for reporting it, or for action being taken on it are less clear.

10.4 The UK has a long tradition of prison inspection, dating to the Eighteenth-century work of John Howard and Elizabeth Fry. Prisons, for many years, included ‘boards of visitors’ who were the precursor to the IMB, whose role in prisons was formalised by the Prison Act 1952 and in IRCs by the Immigration and Asylum Act 1999. Earlier versions of the prison inspectorate were also trialled, before the formal allocation of statutory powers to them in the Criminal Justice Act 1982.²⁵⁰

10.5 More recently, the IMB and HMIP were incorporated into the UK’s National Preventive Mechanism which was created by the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT) in 2002, coming into force in 2006. As the website notes,

“At the heart of OPCAT is the idea that a system of regular, independent visits to places of detention can serve as an important safeguard against abuses, and prevent torture and ill-treatment in places that by their very nature fall outside the public gaze... The UK was one of the early proponents of a treaty that aimed to prevent ill treatment in detention, and was actively involved in the drafting process. It was one of the first countries to notify the United Nations of the designation of its NPM.”²⁵¹

Although appointed by their national government, NPMs are meant to be fully independent. This freedom from state intervention, in combination with a commitment to scrutiny and oversight is designed to safeguard human rights and to prevent torture.

The Independent Monitoring Board (IMB)

10.6 Every IRC has a resident IMB whose members are all unremunerated volunteers. According to the website of the National Preventive Mechanism,

“Independent Monitoring Boards (IMBs) have a statutory duty to satisfy themselves about the state of the prisons or immigration detention facilities they visit, their administration and the treatment of prisoners or detainees. There is a Board for every prison in England and Wales and every Immigration Removal Centre in England, Wales and Scotland, as well as for some short-term holding facilities for immigration detainees. IMBs also monitor some charter flights. Board members are appointed by the Secretary of State. Boards are comprised of unpaid members of the community and fulfil their duties by carrying out regular and frequent visits to establishments. Their concerns are discussed at regular meetings with Governors, Directors and Managers. These concerns can

²⁵⁰ E Stockdale (1983) ‘A short history of prison inspection in England’, *The British Journal of Criminology*. 23(3): 209 – 228.

²⁵¹ <https://www.nationalpreventivemechanism.org.uk/opcat/opcat/>

also be raised through Regional meetings and the National Council and have a duty to produce a written report annually for the Minister.”²⁵²

In March 2017, the IMB published a positive annual report from 2016, in which they wrote: “the IMB judges Brook House IRC to be a well-run establishment, providing a decent environment where detainees awaiting removal are treated humanely and fairly”.²⁵³ After the events of 2017, they received considerable scrutiny for this finding.

- 10.7 In 2017 the IMB tried to fill a post on their committee. The recruitment announcement posted online described the role in the following terms: ²⁵⁴

“Members are the eyes and ears of Ministers and monitor the day-to-day life in their local prison or detention centre to ensure that proper standards of care and decency are maintained.”

According to the ‘Person Specification’:

“Applicants do not need any special qualifications or experience as we will provide all necessary training and support. Candidates need to be over 18 years of age and live within approx. 20 miles of the centre. You need to be enthusiastic, open-minded, possess effective communication skills and have the ability to exercise sound, objective judgement...The role is about fairness and decency and is always rewarding, educational and challenging.”

- 10.8 In 2017, the Brook House IMB committee was made up of 9 members, one of whom would visit Brook House at least once a week. In the year 2016/2017 the chair, Mrs Jacqueline Colbran had been in post since 2006.²⁵⁵

- 10.9 In their reports, IMB members record that they walked around the facility and checked for complaints forms. They talked to officers and to people who were detained, while monitoring the general state of cleanliness. IMB members sat on a variety of centre committees and held regular meetings with members of the SMT.

- 10.10 On May 31, 2018, in response to a series of questions from Verita about the nature of their role and how they ensured that “detainees are treated with dignity and respect”,²⁵⁶ Ms Mary Molyneux and Mr Gareth Jones represented their role in the following terms:

“we’re not trying to manage the place. We can make observations about the strengths of certain individuals, or whatever, and say who is good, bad

²⁵² <https://www.nationalpreventivemechanism.org.uk/members/>

²⁵³ IMB (2017) *Annual Report of the Independent Monitoring Board for Brook House Immigration Removal Centre 1 January 2016 to 31 December 2016*. London: IMB, p. 7.

²⁵⁴ Available here: <https://publicappointments.cabinetoffice.gov.uk/appointment/member-volunteers-needed-independent-monitoring-boards-imb-brook-house-immigration-removal-centre-irc/>

²⁵⁵ BHI - IMB Board Members 2016-17 and current, [IMB000004].

²⁵⁶ Independent Investigation into Brook House, transcript of interview with Mary Molyneux and Gareth Jones (IMB) on 31/05/2018, [VER000237], p. 8.

and indifferent, but that is beyond our remit. Likewise how the Home Office are dealing with the detainees and certain of the immigration issues.”²⁵⁷

- 10.11 There were some issues in Brook House that clearly concerned the IMB. On the week commencing 19 June 2017, for example, Ms Mary Molyneux noted the uncomfortable heat on the housing units.²⁵⁸ Nearly one month later, on the 17th of July, Mr Dick Weber wrote up concerns about a lack of cleanliness and disorder.²⁵⁹ On July 29, Ms Joyce Turner noted some improvements in cleanliness on A Wing.²⁶⁰ Most commonly, members of the IMB recorded the absence of complaints forms on the units.
- 10.12 A number of the documents submitted by the IMB included criticisms of the detained men. Thus, on May 8, 2017, Mr Dick Weber reported that he was approached by someone for help, who “did not impress me as being in the least reasonable in his approach” but “there is some reason for disquiet over the nature and timing of the response he received.”²⁶¹ The form does not make clear whether Mr Weber recorded a complaint or pursued the man’s case.
- 10.13 On May 15, 2017, Ms Gilly Gajadsky’s report referred to “another detainee [who] was misbehaving”,²⁶² while on the 17th of July, 2017, Ms Elisabeth Markwick described a man who “had a hissy fit”.²⁶³ Some months earlier in the report for the week of April 24, Ms Markwick referred to a detained man on E-Wing as a “miscreant,”²⁶⁴ and a group of men on B-wing as “demanding”,²⁶⁵ while on the week commencing August 8, 2017, she described a cleaner as “very lazy”.²⁶⁶ More subtly, on April 10, 2017, Ms Mary Molyneux put quote marks around the word “protest”, effectively dismissing the man’s claims.²⁶⁷
- 10.14 Members of the IMB also adopted prison jargon in some of their reporting. Thus, Mr Gareth Jones on the week commencing July 8, wrote that the men on the units were “kicking off”.²⁶⁸ In her report on the week commencing August 14, 2017, Ms Markwick

²⁵⁷ Independent Investigation into Brook House, transcript of interview with Mary Molyneux and Gareth Jones (IMB) on 31/05/2018, [VER000237], p. 8.

²⁵⁸ Independent Monitoring Board: Brook House IRC Statutory Visit Report (Mary Molyneux) - Week commencing 19/06/2017 - Multiple detainees referenced Note that the report appears to have been finalised on 07/07/2017, [IMB000046], p. 2.

²⁵⁹ Dick Weber - Brook House IRC Statutory Visit wc 17.07.07.doc, [IMB000039], p. 2.

²⁶⁰ IMB member visit log 17-07-29 Joyce Turner wc 29.07.17, [IMB000018], p. 1.

²⁶¹ IMB member visit log Dick wc 08.05.17.doc, [IMB000012], p. 1.

²⁶² Gilly Gajadsky 15.05.17 - (IMB Brook House Review), [IMB000027], p. 1.

²⁶³ IMB member visit log 17-07-03 Elisabeth wc 03.07.17.docx, [IMB000013], p. 1.

²⁶⁴ Note of the Independent Monitoring Board Statutory Visit to Brook House by Elisabeth Markwick on 24/04/2017 - 30/04/2017, [IMB000051], p. 1.

²⁶⁵ Note of the Independent Monitoring Board Statutory Visit to Brook House by Elisabeth Markwick on 24/04/2017 - 30/04/2017, [IMB000051], p. 4.

²⁶⁶ Note of the Independent Monitoring Board Statutory Visit to Brook House by Elisabeth Markwick for the week commencing 14/08/2017, dated 14/08/2017-20/08/2017. [IMB000052], p. 2.

²⁶⁷ Brook House IRC Statutory Visit - Mary wc 10.04.17.doc, [IMB000055], p. 1.

²⁶⁸ Note on Independent Monitoring Board Statutory Visit to Brook House by Gareth Jones for w/c 07/08/2017, [IMB000056], p. 1.

referred to “bang-up”.²⁶⁹ Co-chairs Mrs Jackie Colbran and Mr Dick Weber had previously worked in prisons; while Mrs Colbran had headed the IMB at HMP High Down, Mr Weber was a former prison governor. In an interview with Verita dated 8 December 2017, Mr Weber said that sections of the population in Brook House, were, like the prisoners he had previously managed, “mad and the bad.”²⁷⁰

- 10.15 According to DSO 04/2014, the IMB should be informed about any use of force or a decision to put someone on R40/42, or of any serious incident, within two hours.²⁷¹ It is unclear, however, how rigorously Brook House followed this rule. On April 10, 2017, for instance, just two weeks before the event on E-Wing that was covered up – Ms Mary Molyneux noted her “surprise” at the lack of use of force report for an incident she had witnessed. Once again it is unclear from the paperwork whether she followed up her concerns.²⁷² So, too, when Mrs Louise Gledhill recorded on May 1, 2017, that she was approached by a detainee who claimed to have been assaulted by a guard, rather than take a statement, she told him to fill out a complaints form.²⁷³
- 10.16 Although documents submitted to the Inquiry suggest that members of the IMB were committed to independence (from the Home Office, G4S and from the Gatwick Detainees Welfare Group),²⁷⁴ members also made it clear in interviews with Verita that they valued the close working relationship they had developed with G4S and with the Home Office. As noted above, their job was about monitoring, they insisted, they were not trying to “manage the place”.²⁷⁵
- 10.17 Finally, there is no evidence in the IMB material of an explicit engagement with human rights either as a legal framework, or as a set of principles and values. This terminology simply does not appear. Instead, their members’ reports offer brief descriptions of time spent in parts of the centre. The form is divided into areas of Brook House. It does not follow a thematic, rights-based approach.

HM Inspectorate of Prisons

- 10.18 HMIP, like the IMB, is part of the UK National Preventive Mechanism. Unlike the IMB, however, they take an arms-length approach to their work, conducting unannounced

²⁶⁹ Note of the Independent Monitoring Board Statutory Visit to Brook House by Elisabeth Markwick for the week commencing 14/08/2017, dated 14/08/2017-20/08/2017, [IMB000052], p. 2.

²⁷⁰ Independent Investigation into Brook House, amended transcript of interview with Jackie Colbran (Chair, Brook House IMB) and Dick Weber (Chair, Brook House IMB), dated 08/12/2017, [VER000229], p. 15.

²⁷¹ Home Office (2017) *Detention Services Order 04/2014 Working with Independent Monitoring Boards*. Available at:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/586276/DSO_04_2014_Working_With_IMB_.pdf, p. 16.

²⁷² Brook House IRC Statutory Visit - Mary wc 10.04.17.doc, [IMB000055].

²⁷³ [IMB000009, p. 2].

²⁷⁴ Independent Investigation into Brook House, amended transcript of interview with Jackie Colbran (Chair, Brook House IMB) and Dick Weber (Chair, Brook House IMB), dated 08/12/2017, [VER000229], p.10; Independent Investigation into Brook House, transcript of interview with Mary Molyneux and Gareth Jones (IMB) on 31/05/2018. [VER000237], p. 8.

²⁷⁵ Independent Investigation into Brook House, amended transcript of interview with Jackie Colbran (Chair, Brook House IMB) and Dick Weber (Chair, Brook House IMB), dated 08/12/2017, [VER000229], p. 8.

visits every two years or so. HMIP members are also salaried employees and not volunteers. These arrangements help them to maintain independence from the institutions they monitor, although it can also mean that they find it harder to catch issues on their visits, not only because their visits are brief, but also because they are dependent on the cooperation of the institution for accurate documentation. Like the IMB some of their members of staff have previously worked in prisons.

- 10.19 HMIP inspected Brook House in 2016, from 31 October – 11 November, publishing their report in March 2017.²⁷⁶
- 10.20 On the days HMIP visited, Brook House held 391 men, against an operational capacity of 448. Although HMIP found that one third of detainees reported feeling unsafe,²⁷⁷ and 43% had problems with feeling depressed or suicidal on arrival, they reported that the levels of self-harm had dropped from the previous inspection and were broadly similar to rates in other IRCs.²⁷⁸ Similarly, although critical of the state of the constant supervision areas on E-wing, HMIP found that the men “were not confined to cells and were well supported”²⁷⁹ and that “ACDT reviews were informative and multidisciplinary and considered detainees’ needs carefully.”²⁸⁰
- 10.21 In regards to security practice and the use of force, HMIP reported some concerns. The “security arrangements remained disproportionate to the risks posed by the population” they noted,²⁸¹ and “the number of incidents involving force had increased since our previous inspection”.²⁸² However, briefings before planned use of force were

²⁷⁶ HMIP (2017) *Report on an unannounced inspection of Brook House Immigration Removal Centre by HM Chief Inspector of Prisons, 31 October – 11 November 2016*. London: HMIP. Available at: <https://www.justiceinspectorates.gov.uk/hmiprisons/wp-content/uploads/sites/4/2017/03/Brook-House-Web-2016.pdf>

²⁷⁷ HMIP (2017) *Report on an unannounced inspection of Brook House Immigration Removal Centre by HM Chief Inspector of Prisons, 31 October – 11 November 2016*. London: HMIP. Available at: <https://www.justiceinspectorates.gov.uk/hmiprisons/wp-content/uploads/sites/4/2017/03/Brook-House-Web-2016.pdf> p. 13.

²⁷⁸ HMIP (2017) *Report on an unannounced inspection of Brook House Immigration Removal Centre by HM Chief Inspector of Prisons, 31 October – 11 November 2016*. London: HMIP. Available at: <https://www.justiceinspectorates.gov.uk/hmiprisons/wp-content/uploads/sites/4/2017/03/Brook-House-Web-2016.pdf> p. 13.

²⁷⁹ HMIP (2017) *Report on an unannounced inspection of Brook House Immigration Removal Centre by HM Chief Inspector of Prisons, 31 October – 11 November 2016*. London: HMIP. Available at: <https://www.justiceinspectorates.gov.uk/hmiprisons/wp-content/uploads/sites/4/2017/03/Brook-House-Web-2016.pdf> p. 13.

²⁸⁰ HMIP (2017) *Report on an unannounced inspection of Brook House Immigration Removal Centre by HM Chief Inspector of Prisons, 31 October – 11 November 2016*. London: HMIP. Available at: <https://www.justiceinspectorates.gov.uk/hmiprisons/wp-content/uploads/sites/4/2017/03/Brook-House-Web-2016.pdf> p. 14.

²⁸¹ HMIP (2017) *Report on an unannounced inspection of Brook House Immigration Removal Centre by HM Chief Inspector of Prisons, 31 October – 11 November 2016*. London: HMIP. Available at: <https://www.justiceinspectorates.gov.uk/hmiprisons/wp-content/uploads/sites/4/2017/03/Brook-House-Web-2016.pdf> p. 14.

²⁸² HMIP (2017) *Report on an unannounced inspection of Brook House Immigration Removal Centre by HM Chief Inspector of Prisons, 31 October – 11 November 2016*. London: HMIP. Available at: <https://www.justiceinspectorates.gov.uk/hmiprisons/wp-content/uploads/sites/4/2017/03/Brook-House-Web-2016.pdf> p. 14.

very good and there was evidence of attempts to de-escalate situations.”²⁸³ Overall, then, on the measure of security, HMIP scored Brook House as ‘reasonably good.’

- 10.22 On the dimension of ‘respect’, they singled out the “general prison-like environment” and inconsistent levels of cleanliness for critique, but said complaints were “well-managed” and health care provision was “adequate”. On this measure too, they scored the institution as ‘reasonably good.’
- 10.23 For activities, matters were similar. While they approved of the access to the gym and the library, they noted that “facilities were limited and the infrastructure was likely to be further challenged by plans for a larger population.” Education was good.²⁸⁴ Once again, outcomes for detainees, they reported, were ‘reasonably good’.
- 10.24 The final area, on preparation for removal and release was scored the same way. Here they reported that “welfare services had improved and detainees spoke positively of the support they received from welfare staff”.²⁸⁵ Even though websites had been blocked, and they saw “shortcomings in discharge arrangements” and a poor experience in the ‘visitors’ centre’, once again Brook House scored ‘reasonably good’ on this test.
- 10.25 In his brief introduction, HM Chief Inspector of Prisons Peter Clarke wrote:

“Overall, this was an encouraging inspection. The centre had improved upon the standards we found at the last inspection, and on this occasion was assessed as ‘reasonably good’ in all four of our healthy establishment tests. This also marks excellent progress from the standards we were seeing at Brook House when it first opened. There is no doubt in my mind that the standards now being observed at the centre are the result of a great deal of hard work by the management and staff. They should be congratulated on their efforts and I hope are encouraged by this report to maintain and build upon the clear improvements they have made.”²⁸⁶

²⁸³ HMIP (2017) *Report on an unannounced inspection of Brook House Immigration Removal Centre by HM Chief Inspector of Prisons, 31 October – 11 November 2016*. London: HMIP. Available at: <https://www.justiceinspectorates.gov.uk/hmiprison/wp-content/uploads/sites/4/2017/03/Brook-House-Web-2016.pdf> p. 14.

²⁸⁴ HMIP (2017) *Report on an unannounced inspection of Brook House Immigration Removal Centre by HM Chief Inspector of Prisons, 31 October – 11 November 2016*. London: HMIP. Available at: <https://www.justiceinspectorates.gov.uk/hmiprison/wp-content/uploads/sites/4/2017/03/Brook-House-Web-2016.pdf> p. 16.

²⁸⁵ HMIP (2017) *Report on an unannounced inspection of Brook House Immigration Removal Centre by HM Chief Inspector of Prisons, 31 October – 11 November 2016*. London: HMIP. Available at: <https://www.justiceinspectorates.gov.uk/hmiprison/wp-content/uploads/sites/4/2017/03/Brook-House-Web-2016.pdf> p. 17.

²⁸⁶ HMIP (2017) *Report on an unannounced inspection of Brook House Immigration Removal Centre by HM Chief Inspector of Prisons, 31 October – 11 November 2016*. London: HMIP. Available at: <https://www.justiceinspectorates.gov.uk/hmiprison/wp-content/uploads/sites/4/2017/03/Brook-House-Web-2016.pdf> p. 5.

10.26 Following the BBC Panorama exposé, HMIP were challenged about their methodology and approach. How had they missed the problems shown in Panorama, just 6 months earlier, and what could be done to improve their inspections?

10.27 In response, HMIP published a new set of *Expectations* documents in 2018 in which they set out in some detail the indicators which would provide evidence that the expectation was met.²⁸⁷ They also connected more explicitly the issues being measured and monitored, to international human rights standards. Whereas previously they had only interviewed the detained population, from 2018 onwards all reports include material gathered from officer surveys as well as some limited focus groups. Staff activity and behaviour are also included as possible indicators. In March 2019 they published a new Inspection Framework document.²⁸⁸

Gatwick Detainees Welfare Group

10.28 Like all IRCs, the detained men in Brook House in 2017 were supported by a local visitor group as set out in the Detention Services Operating Standards.²⁸⁹ In addition to their work offering social support, GDWG held regular focus groups with the detained men in the building. In these meetings if they heard stories from men that raised concerns they sought to pass these concerns to the IMB and to the SMT.

10.29 A number of different documents suggest that both the IMB and the SMT were not entirely happy with this arrangement. Both groups expressed concerns about what they perceived to be the ‘campaigning’ nature of GDWG. Eventually the permission to hold focus groups with the detained men was rescinded.²⁹⁰

Conclusion and Preliminary Recommendations:

10.30 Research I have done with colleagues in Greece, including with a member of HMIP, Dr Hindpal Singh Bhui, suggests that human rights are best protected in systems where there is a healthy exchange of information and debate among NPMs, civil society groups (including campaigning organisations), academics, and current and former detainees and their advocates, and where all these different parties engage with people in detention.

²⁸⁷ HMIP (2018) *Immigration Detention Expectations*. Available at: <https://www.justiceinspectorates.gov.uk/hmiprisoners/wp-content/uploads/sites/4/2018/03/Immigration-Expectations-FINAL.pdf>

²⁸⁸ HMIP (2019) *Inspection Framework*. London: HMIP. Available at: <https://www.justiceinspectorates.gov.uk/hmiprisoners/wp-content/uploads/sites/4/2019/03/INSPECTION-FRAMEWORK-2019.pdf>

²⁸⁹ UKBA (2005) *Detention Services Operating Standards*. Available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/257352/operatingstandards_manual.pdf

²⁹⁰ Email chain - Email from Anna Pincus (GDWG) to Dan Haughton (G4S) dated 02/10/2017 [requesting permission to hold a detainee focus group in Brook House]; Email from Dan Haughton (G4S) to Anna Pincus (GDWG) dated 04/10/2017, [VER000109].

10.31 The UK is, usually, a good example of this kind of healthy discussion, even though the Home Office remains anxious about widening access to these centres. Under these circumstances, concerns over the ‘campaigning’ role of GDWG in 2017 seem deeply misplaced. Their work on behalf of the men may have at times put them at odds with the Home Office and the SMT, but I have seen no evidence that it was unprofessional. Instead, to safeguard rights, and to assist the vulnerable, groups like GDWG should be incorporated into the onsite and arms-length monitoring of detention conditions. Their ‘campaigning’ stance would offer a welcome detainee-focused approach which would also assist in the legitimacy of the monitoring process and would, potentially, enable greater engagement by the detained population with these scrutiny organisations. This is not something the state or the private security companies should be afraid of.

10.32 In their 2017 report, which was published in 2018, after the BBC Panorama, the IMB committee made their position very clear:

“The IMB was horrified at the completely unacceptable behaviour of the small group of staff shown in the footage. We have never witnessed instances of ill-treatment of this kind, nor have we had any indications that it might be happening. If we had, we feel confident that we would have taken our concerns immediately to the top management of G4S and the Home Office at the centre.”²⁹¹

10.33 While the sentiment of this statement is welcome and important, it does not address the lingering questions about why and how the committee were unaware of the issues occurring in the centre they visited so regularly. Unfortunately, the documents submitted to the Inquiry do point to a shared culture with officers among the committee at the time. The lack of trust of the detained men, the concerns about the work of GDWG, and the use of prison terminology all paint an organisation that was not fully independent and thus was not performing adequately as a safeguard for human rights.

10.34 My suggestion for the IMB would be to recruit more widely, including from the population of those who have been previously detained. I recommend also that they offer remuneration to their members to allow a more diverse group to take up the position.

10.35 I also recommend that the IMB develops a rights-based approach and scrutiny document rather than one based on the layout of the centre.

10.36 While it will never be possible to overcome deliberate attempts to disguise malfeasance, since 2017 HMIP have strengthened their inspection methodology. The links to Human Rights standards is particularly welcome as is the inclusion of a staff survey. Nonetheless, officers continue to perceive HMIP as primarily concerned with detainee welfare, and not with staff. This perception, in my experience, leads to some

²⁹¹ IMB (2018) *Annual Report of the Independent Monitoring Board for Brook House Immigration Removal Centre 1 January 2017 to 31 December 2018*. London: IMB, p. 4

reluctance to engage with the inspection process. It would be good to explore some additional monitoring focused purely on officers to identify good practice and problems.

11. Conclusion: Security, care, trust and dignity

- 11.1 As this report has documented, the evidence so far provided to the Inquiry shows that in 2017 Brook House was an institution with a number of problems. Some of these problems, such as the personal disputes among members of the Senior Management Team, were specific to Brook House at the time. However, many of the issues raised in the evidence, including low levels of trust, and a lack of clarity of institutional purpose, are common throughout the immigration detention estate.
- 11.2 High rates of staff turnover, low levels of trust among staff and about the detained men, combined with an immigration process that was hard for anyone to understand, and a population with poor mental and physical health and the presence of drugs, created a difficult and volatile environment.
- 11.3 Additional factors, including widespread, unchecked sexism and some level of racism and xenophobia made matters worse. Brook House, under these conditions, was neither sufficiently caring, nor was it secure or decent, for the detained population or for staff.
- 11.4 While there has been a considerable passage of time since the 2017 events, and a new company is running Brook House, the evidence submitted to the Inquiry holds a number of lessons not just about the past but also for the future.
- 11.5 To ensure that the events of 2017 do not recur, greater attention needs to be paid to the balance between care and security; to eradicating racist and sexist beliefs and language; and to develop a shared culture with the detained population that emphasises the dignity and decency of all.