

<p>1 Friday, 10 December 2021</p> <p>2 (9.30 am)</p> <p>3 MR LIVINGSTON: Good morning, chair. We will now be hearing</p> <p>4 from James Wilson, if he can be sworn, please.</p> <p>5 MR JAMES WILSON (affirmed)</p> <p>6 Examination by MR LIVINGSTON</p> <p>7 MR LIVINGSTON: Mr Wilson, you gave a statement to the</p> <p>8 inquiry on 15 November 2021. Chair, that's at</p> <p>9 <DPG000003> and I ask for that to be adduced in full,</p> <p>10 please.</p> <p>11 Mr Wilson, that's the one at tab 1 of your bundle.</p> <p>12 Then, Mr Wilson, you also gave a statement in other</p> <p>13 proceedings as part of a judicial review claim</p> <p>14 in September 2018. That's at reference <GDW000001>.</p> <p>15 I ask for that to be adduced in full as well, please,</p> <p>16 chair. Mr Wilson, I will refer to this as your 2018</p> <p>17 statement. Hopefully it will be clear, as I'm asking</p> <p>18 questions, which statement I'm referring to, but if</p> <p>19 I have ever not made that clear, then just ask, please.</p> <p>20 A. Thank you.</p> <p>21 Q. Because those two statements are adduced into evidence,</p> <p>22 I won't be going through every paragraph in each of your</p> <p>23 statements in full, but I will just be asking you to</p> <p>24 focus on some issues.</p> <p>25 Is it correct, Mr Wilson, that your current role is</p> <p style="text-align: center;">Page 1</p>	<p>1 in your statement so that the transcriber can put them</p> <p>2 in, but in paragraph 25 [sic] of your 2018 statement,</p> <p>3 you say that, in July 2016, just after taking up your</p> <p>4 post, you met with Dan Haughton of G4S, Paul Gasson from</p> <p>5 the Home Office and Neil Davies, who I think was G4S</p> <p>6 head of visits at the time?</p> <p>7 A. Yes, that's correct.</p> <p>8 Q. You say that you were told at that point that G4S were</p> <p>9 keen that your work centred on social visits; is that</p> <p>10 right?</p> <p>11 A. Yes, that's correct.</p> <p>12 Q. Throughout your time as director of GDWG, was that</p> <p>13 a common theme?</p> <p>14 A. Very common theme, very much, yes.</p> <p>15 Q. Is it fair to say that there was some dispute between</p> <p>16 you and your organisation and G4S and the Home Office as</p> <p>17 to the limits of GDWG's role?</p> <p>18 A. Yes, very much so.</p> <p>19 Q. You say that you then met Ben Saunders, who was the</p> <p>20 director of Brook House -- of Gatwick IRCs, actually,</p> <p>21 in August 2016. You refer to this at paragraph 26 of</p> <p>22 your 2018 statement. Do you remember what was discussed</p> <p>23 then with Mr Saunders?</p> <p>24 A. Yes. I'm not certain on this point, but I think the</p> <p>25 previous meeting, that first meeting, I had with</p> <p style="text-align: center;">Page 3</p>
<p>1 as deputy director of Detention Action?</p> <p>2 A. Yes, that's correct.</p> <p>3 Q. But from June 2016 to December 2018, you were the</p> <p>4 director of Gatwick Detainees Welfare Group?</p> <p>5 A. Yes, that's right.</p> <p>6 Q. GDWG. In that role, in summary, you were responsible</p> <p>7 for the charity's day-to-day operations, strategic</p> <p>8 activities, line managing other staff members, working</p> <p>9 with volunteers and front-line work, including visits to</p> <p>10 detained people?</p> <p>11 A. Yes, that's correct.</p> <p>12 Q. We heard evidence from Ms Pincus yesterday -- she was</p> <p>13 the senior advocacy coordinator at the time. Were you</p> <p>14 her manager at the time?</p> <p>15 A. Yes, that's correct.</p> <p>16 Q. But did you also do the type of drop-in sessions that</p> <p>17 she talked about doing?</p> <p>18 A. Yes, I did.</p> <p>19 Q. Firstly, I want to ask you, for contextual purposes,</p> <p>20 about the relationship between your organisation and G4S</p> <p>21 and the Home Office prior to the relevant period. You</p> <p>22 will know that the relevant period is April 2017</p> <p>23 to August 2017.</p> <p>24 Looking, first, and you don't need to turn to it</p> <p>25 each time, but I'm just referring to paragraph numbers</p> <p style="text-align: center;">Page 2</p>	<p>1 Paul Gasson and Dan Haughton and Neil Davies was</p> <p>2 prompted by me. I had just come into post.</p> <p>3 I understood from my predecessor that the</p> <p>4 relationship -- that there could be work done on the</p> <p>5 relationship. I reached out to them for that meeting.</p> <p>6 I think Ben Saunders then subsequently contacted me</p> <p>7 directly and asked for a meeting, but I'm not certain on</p> <p>8 that point. I remember the meeting being fairly</p> <p>9 amenable, but he did very much emphasise that he saw our</p> <p>10 role as being there to do social visits, as they would</p> <p>11 repeatedly put that, only, and he would refer to -- this</p> <p>12 was also a common theme of meetings, three particular</p> <p>13 instances from the past where he felt we had stepped</p> <p>14 over certain lines.</p> <p>15 Q. When you had taken up your role in the summer of 2016,</p> <p>16 when you were given your handover -- I assume there was</p> <p>17 some sort of handover. How was the relationship with</p> <p>18 G4S and the Home Office described to you at that point?</p> <p>19 A. In my handover with my predecessor, I think his phrase</p> <p>20 was that we didn't really have a relationship with</p> <p>21 management. I subsequently learnt about the draft MoU</p> <p>22 that had happened in the previous month before</p> <p>23 I started, but my predecessor phrased it as there wasn't</p> <p>24 really a relationship and he said it would be very good</p> <p>25 if we could have a relationship with management.</p> <p style="text-align: center;">Page 4</p>

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<p>1 These were three very experienced caseworkers who were</p> <p>2 leading the case. I was doing some casework and client</p> <p>3 work myself because of the size of the organisation, but</p> <p>4 they were leading on it, they were all very capable.</p> <p>5 They wouldn't normally -- they would normally raise</p> <p>6 things of particular issues or safeguarding or</p> <p>7 particular things to me, but they wouldn't be running</p> <p>8 every -- you know, referrals of one type or another are</p> <p>9 a very regular part of casework.</p> <p>10 Q. Is the draconian bit that, previously, they were senior</p> <p>11 enough that they could email people, whereas you were</p> <p>12 now saying, "I have to be the filter for everything that</p> <p>13 goes out"?</p> <p>14 A. Yes. If I had sent this out without context or just</p> <p>15 said this, I think it would have sounded very</p> <p>16 unnecessarily top-down and of a micro-management style</p> <p>17 I would never, unless absolutely necessary, adopt. So</p> <p>18 I needed to explain.</p> <p>19 It may be stating the obvious, but the context was,</p> <p>20 this was an agreement I had made at the end of that</p> <p>21 meeting verbally as, you know, I didn't think it was</p> <p>22 something that was going to be sustainable for very long</p> <p>23 because of the volume -- apart from anything else, the</p> <p>24 volume would have needed me to be signing things off</p> <p>25 very, very frequently.</p> <p style="text-align: center;">Page 57</p>	<p>1 and us having the chance to discuss them."</p> <p>2 What are we to take from your description of it as</p> <p>3 a useful meeting?</p> <p>4 A. Yes. I think I was being polite and diplomatic.</p> <p>5 I mean, the subsequent phrase about raising -- I did</p> <p>6 appreciate them raising concerns directly and us</p> <p>7 discussing them. I would rather that than -- I guess</p> <p>8 the alternative is they just cut access without</p> <p>9 discussing them. But it is a stretch to describe it as</p> <p>10 useful, from our point of view.</p> <p>11 Q. In your inquiry statement, which is, for the</p> <p>12 transcribers, at <DPG000003> at page 3, paragraph 8, you</p> <p>13 describe Mr Gasson and Mr Skitt as having taken</p> <p>14 "a highly combative and distrustful approach at [the]</p> <p>15 meeting". How do you reconcile this description of it</p> <p>16 as a useful meeting with your description of them having</p> <p>17 taken a highly combative and distrustful approach?</p> <p>18 A. Well, I mean, I wanted, and needed, the relationship to</p> <p>19 be as -- for us to be able to progress, so, again, my</p> <p>20 absolute focus was on maintaining our access to the</p> <p>21 centres. So I wanted to be as diplomatic and polite as</p> <p>22 I possibly could be. I felt in a very powerless</p> <p>23 situation. I would go back to my feeling in the meeting</p> <p>24 of almost needing to beg for the access to continue. So</p> <p>25 I was very much in that mode: what can I put in place?</p> <p style="text-align: center;">Page 59</p>
<p>1 Q. So you say "for the next few weeks"?</p> <p>2 A. It was something I agreed in the moment because, again,</p> <p>3 my top priority was to get out of the meeting with our</p> <p>4 access intact.</p> <p>5 Q. I notice you say there -- you don't list there about</p> <p>6 raising any concerns with the Home Office directly. Is</p> <p>7 that -- was that a deliberate omission or did you</p> <p>8 consider that they could have raised something with the</p> <p>9 Home Office directly without going through you?</p> <p>10 A. No. I mean, it would be rare -- we were never --</p> <p>11 I don't think we were ever told to raise -- you know,</p> <p>12 Paul Gasson wouldn't have been our first point -- it</p> <p>13 would have been management, which would usually have</p> <p>14 been Steve Skitt or Dan Haughton. We might have copied</p> <p>15 everyone in. I think -- I would -- maybe I should have</p> <p>16 said explicitly, but where I say "raising any concerns</p> <p>17 with G4S", I meant management plus any other parts of</p> <p>18 G4S.</p> <p>19 Q. So that's then at 4.16 pm. If we can also bring up on</p> <p>20 screen, back to <GDW000003>, page 40, please, this is an</p> <p>21 email which is sent on the same day at 16:37, so about</p> <p>22 20 minutes after the email sent to your colleagues, and</p> <p>23 here you say:</p> <p>24 "Thank you for the useful meeting this afternoon.</p> <p>25 I very much appreciate your raising concerns directly</p> <p style="text-align: center;">Page 58</p>	<p>1 You know, within reason, but what can I put in place</p> <p>2 organisationally now for us to keep the access intact?</p> <p>3 So that was the situation.</p> <p>4 Q. You describe in your inquiry statement, and also you</p> <p>5 have repeated just now, that the approach to GDWG was</p> <p>6 increasingly becoming one that was tantamount to</p> <p>7 bullying. Why do you say that?</p> <p>8 A. That was a dynamic that I felt was increasing there.</p> <p>9 I was particularly -- I was vividly aware of that in</p> <p>10 that meeting, the dynamic. I remember -- I can remember</p> <p>11 the meeting very vividly. I remember it was just -- it</p> <p>12 was Steve Skitt and Paul Gasson who were in the meeting.</p> <p>13 They were nearest the door. I was on my own. They were</p> <p>14 very, very agitated. Very -- as I put it, I felt that</p> <p>15 they were toying with me, they were threatening with</p> <p>16 something, with something -- a very immediate threat to</p> <p>17 our access. I remember it being -- in my recollection,</p> <p>18 it was a dark and rainy day, I remember walking out of</p> <p>19 the centre feeling shaken by the meeting, and I'd had</p> <p>20 meetings before where they had been difficult, but I was</p> <p>21 really shaken by the meeting.</p> <p>22 Q. When you talk about that approach that was tantamount to</p> <p>23 bullying, are you referring to G4S, to the Home Office</p> <p>24 or both?</p> <p>25 A. To both. I didn't feel, again, a distinction between</p> <p style="text-align: center;">Page 60</p>

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<p>1 wasn't the only example of that. There weren't</p> <p>2 numerous -- many examples, but I think, in a similar</p> <p>3 period, there may have been one or two other examples of</p> <p>4 different visitors experiencing that issue.</p> <p>5 Q. I'm asked on behalf of G4S to ask you how you knew that</p> <p>6 this was happening as a punitive measure, as opposed to</p> <p>7 for any other reason?</p> <p>8 A. I think I was certainly clear on -- it was certainly</p> <p>9 clear from the time. I mean, I remember -- we certainly</p> <p>10 were clear on that from our understanding of what the</p> <p>11 person detained was being told and the fact that the</p> <p>12 closed visits seemed to be happening on a kind of --</p> <p>13 effectively on an indefinite basis, and our</p> <p>14 understanding was that shouldn't be the case. I think</p> <p>15 the conclusion that Jamie reached was that the -- in</p> <p>16 relation to this particular client was that the visits</p> <p>17 had been stopped because the client was allegedly</p> <p>18 receiving drugs, no-one else was visiting him apart from</p> <p>19 Jamie, there was an implied accusation to the GDWG</p> <p>20 visitor.</p> <p>21 Q. Is it fair to say, essentially, you believed what your</p> <p>22 visitors were telling you?</p> <p>23 A. Yes. Yes. I'm sorry to be vague. I think, if I could</p> <p>24 review the client information, I'd be clear on that.</p> <p>25 But I remember being very clear, it seemed, we were</p> <p style="text-align: center;">Page 85</p>	<p>1 "G4S don't like them referring cases to others.</p> <p>2 "Meets Steve Skitt, Dan Haughton, Paul Gasson ...</p> <p>3 "G4S feel openly threatened.</p> <p>4 "Don't want them [or you] contacting IMB, HO</p> <p>5 caseworker."</p> <p>6 "Struck by level of hostility."</p> <p>7 I presume that's from you:</p> <p>8 "Included Ben Saunders."</p> <p>9 Is that saying that the hostility included hostility</p> <p>10 from Ben Saunders?</p> <p>11 A. Yes, although certainly it felt that was also -- I think</p> <p>12 I only met with Ben Saunders on that one occasion</p> <p>13 relatively early in post, but he echoed very much the</p> <p>14 concerns I'd heard before and since.</p> <p>15 Q. "JW has never been in centre. Thinks G4S refused."</p> <p>16 Had you requested to go into the heart of the centre</p> <p>17 before?</p> <p>18 A. We'd requested a tour of the centre so we had a better</p> <p>19 understanding of the layout, which I knew was something</p> <p>20 that wasn't unprecedented in terms of other NGOs and,</p> <p>21 actually, I had at other centres outside of Gatwick.</p> <p>22 Q. Do you remember when that request was made and refused?</p> <p>23 A. I don't recall. I think I would have requested that</p> <p>24 fairly early on in post in 2016, but I don't recall.</p> <p>25 Q. Was there a reason ever given to you for refusing that</p> <p style="text-align: center;">Page 87</p>
<p>1 clear, we were looking back -- we were looking at the</p> <p>2 wording of the Detention Service Orders and checking on</p> <p>3 this point and it seemed clear to us it was being</p> <p>4 applied as a punitive measure, that there weren't other</p> <p>5 legitimate reasons for the closed visits being imposed.</p> <p>6 Q. I want to come on to discuss your interviews with Verita</p> <p>7 which happened after 2017/2018. You were interviewed</p> <p>8 firstly by -- you met firstly with Ed Marsden from</p> <p>9 Verita, I understand, on 24 October 2017. If we can</p> <p>10 bring that document up on screen, <VER000198>, please.</p> <p>11 So these are the notes from the meeting. Have you had</p> <p>12 the chance to look at these before?</p> <p>13 A. Yes.</p> <p>14 Q. We can see from the bottom -- it sets out the big</p> <p>15 issues, some notes on what your activities were at</p> <p>16 Brook House. At the bottom, it summarises your</p> <p>17 relationship with G4S. It says:</p> <p>18 "[Difficult] relationship with G4S."</p> <p>19 On the next page at the top:</p> <p>20 "... meets them quarterly.</p> <p>21 "G4S are defensive and suspicious -- want to</p> <p>22 restrict their role.</p> <p>23 "Happy with them doing non-controversial practical</p> <p>24 tasks.</p> <p>25 "Suspicious of casework.</p> <p style="text-align: center;">Page 86</p>	<p>1 request?</p> <p>2 A. I don't remember being given one, no.</p> <p>3 Q. We see at the bottom under "Incidents", starting from</p> <p>4 the third bullet point, a question:</p> <p>5 "Where does BBC programme fit in JW's experience?"</p> <p>6 Presumably a note of your response:</p> <p>7 "Can't place it. Shocked him. But had heard</p> <p>8 rumours. Can't compare it over time."</p> <p>9 What does "Can't place it" mean? I know these are</p> <p>10 only notes, but if you can help.</p> <p>11 A. "Can't place it". I think the context of the question</p> <p>12 was, how did this stand out as an unusual -- how did</p> <p>13 this relate to what happened -- experience of detention</p> <p>14 before that. I think that that phrase, "Can't compare</p> <p>15 it over time" is probably accurate because we only had</p> <p>16 the undercover footage at that particular point.</p> <p>17 Q. It says:</p> <p>18 "GDWG have good relations with some officers. Know</p> <p>19 that they are caring."</p> <p>20 "No notice removal adds to anxiety."</p> <p>21 Presumably of detained people:</p> <p>22 "Paul Gasson -- hostile.</p> <p>23 "Steve Skitt -- was helpful and now less so. Become</p> <p>24 more hostile. Don't refer to other agencies etc."</p> <p>25 Then it talks about a defensive response.</p> <p style="text-align: center;">Page 88</p>

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<p>1 Then we know, Mr Wilson, that you gave an interview 2 to Kate Lampard's investigation in February 2018 that 3 covers much of the issues we have already discussed, so 4 I don't need to ask you about specific bits, but, chair, 5 I ask for that to be adduced in full and that is at 6 <VER000249>.</p> <p>7 Mr Wilson, I want to come on to ask you about your 8 relationship with the IMB. In your 2018 witness 9 statement, you speak about your dealings with the IMB, 10 the Independent Monitoring Board, at paragraphs 61 to 11 64. You refer to three meetings you had with IMB 12 members since becoming a director. You talk about one 13 when you first started in summer 2016, where you say 14 that you gained the impression that the IMB was too 15 close to Brook House management and that they had 16 advised you -- they were keen to advise you not to 17 overstep the mark with Brook House management. Is that 18 right?</p> <p>19 A. Yes, that's correct.</p> <p>20 Q. We have an email exchange between Ms Blackwell and 21 Jackie Colbran from the IMB which we have already seen 22 when looking at G4S's response to this. If we can bring 23 up on screen again <GDW000003>, page 38. Dealing now 24 with the IMB's response, with Jackie Colbran's response, 25 this was where Ms Blackwell wanted them to intervene to</p> <p style="text-align: center;">Page 89</p>	<p>1 being followed correctly" without saying, "We will look 2 into this", which I would expect an Independent 3 Monitoring Board to do.</p> <p>4 Q. The bottom couple of lines say:</p> <p>5 "If you have concerns about a detainee we should 6 always be more than glad to hear from you and where 7 appropriate pass the information to the Brook House 8 safeguarding manager, whose specific role is to protect 9 the vulnerable."</p> <p>10 Did you believe that during the relevant period -- 11 first of all, do you know who the safeguarding manager 12 was during the relevant period?</p> <p>13 A. We had a safeguarding -- the safeguarding contact email 14 and phone number to call. There was a member of staff 15 called James Begg who would often be the person 16 responding. I'm not sure -- I don't think his job title 17 was the safeguarding manager, so I'm not certain on that 18 point.</p> <p>19 Q. Do you feel like Brook House -- whether it is safer 20 custody or whatever it was called at the relevant 21 period, do you think that they did undertake a specific 22 role to protect the vulnerable?</p> <p>23 A. I think that should have been part of that role. 24 I think -- you know, it was clear to us -- we would 25 never -- we had nothing to be gained by raising things</p> <p style="text-align: center;">Page 91</p>
<p>1 check whether his request to move to Tinsley House would 2 be dealt with. She says:</p> <p>3 "This is beginning to step outside our remit ..."</p> <p>4 And that it would be inappropriate for them to 5 follow it up. There was no indication that correct 6 procedures were not being followed. Did you think this 7 was a reasonable response by the IMB?</p> <p>8 A. No. I think -- our understanding of the IMB's role was 9 that they were, you know, encouraging concerns to be 10 raised, particularly directly from people detained. 11 There was the actual complaints box system for that to 12 happen. Our impression was it was not used very much 13 but that was there, they had a regular presence in the 14 centres. So I -- I felt it was entirely appropriate 15 that we -- that Naomi had raised this with them. 16 I don't -- I think it would also have been -- it would 17 have been appropriate for them to not be able to give us 18 very much information back, but to say, "We will take 19 this away. Thank you for raising that". But I felt 20 this was, yes, very unnecessary.</p> <p>21 The phrase "There's no indication that the correct 22 procedures have not been followed", I think there was 23 quite a quick turnaround between emails here. It seemed 24 to me at the time, and seems now, looking back, to have 25 been a very quick, "We are confident that everything is</p> <p style="text-align: center;">Page 90</p>	<p>1 unless we felt they needed to be raised. So if we were 2 raising something to the IMB, it was because things 3 weren't -- support wasn't in place, for whatever reason, 4 within the centre and we were asking an independent 5 organisation to do it if there was anything they could 6 do to look into that.</p> <p>7 Q. Did you ever attend a safer custody meeting?</p> <p>8 A. No.</p> <p>9 Q. Were you ever invited to do so?</p> <p>10 A. No, I don't believe I was ever invited. I'm sure 11 I would have attended.</p> <p>12 Q. I'm asked to ask you a rule 10 from the IMB. Other than 13 this occasion, do you remember whether there were other 14 occasions during the relevant period when your 15 organisation sent emails to the IMB raising concerns 16 about specific detained people?</p> <p>17 A. I'm not certain. I think certainly not frequently. 18 I think we would occasionally, but I don't recall, I'm 19 afraid.</p> <p>20 Q. What about emails raising concerns about more general 21 matters, such as facilities on the wings and things like 22 that? Do you remember whether those types of issues 23 were raised with the IMB?</p> <p>24 A. I don't remember us doing that outside of where -- the 25 small number of meetings you mentioned during my time at</p> <p style="text-align: center;">Page 92</p>

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