

Expert Report on Use of Force incidents at Brook House Removal Centre between 1 April 2017 and 31 August 2017

FIRST REPORT OF MR. JONATHAN COLLIER, HMPPS – 14 JANUARY 2022

Detainee concerned: [D2054]

Date of incident: 28th June 2017

Reason for force as listed on the UOF report: Failure to comply with removal, Non-compliance prevent self-harm, prevent injury to third party.

Staff involved: DCM Aldis, DCOs Murphy, Martin, Shadbolt, Di-Tella, Simmons

Background

295. [D2054] was informed that he was being moved for a charter flight to Nigeria. He refused all instructions from DCM Aldis to walk to the discharge area, where staff from Tascor were waiting to escort him to RAF Brize Norton. A planned intervention was then executed and when staff entered [D2054] was lying in his bed and before had removed his clothes. He resisted the attempts by staff to take control of him and he was eventually placed in handcuffs and moved under restraint to be handed over to Tascor staff. Staff used a towel to preserve his decency. Throughout the movement [D2054] was shouting and continued to resist staff. The head support remained throughout the entire movement until handed over to the Tascor staff.

Observation/opinions

296. There is footage from BWVC, CCTV and a handheld device. The briefing conducted by DCM Aldis is recorded and it covered all of the necessary information. One recurring factor during some of the briefings observed so far that is staff not having any identification, either on their helmets or overalls. This helps identify the individuals involved and their role in the restraint. Details of staff identification are within the Incident Management PSI 09-2014. When in full PPE staff have some method of identity that are announced during the recorded briefing. I did not observe a senior manager in attendance but at various stages there are numerous people around the incident scene.

297. DCM Aldis makes every reasonable effort for [D2054] to walk without the need for force being used. He explained the situation and the fact that escort staff from Tascor were waiting to move him to Brize Norton for a flight to Nigeria/Ghana. At the time [D2054] is lying in his bed and after all attempts fail DCM Aldis deploys the staff. As they enter [D2054] moves from his bed and it becomes

known that he is in a state of undress. BWVC from DCM Aldis, which was attached to his person, does intermittently cover his naked state but for most of the time the camera focuses away from the restraint.

298. There is no policy guidance for use of a handheld device but the policy, PSI 04-2017 BWVC⁹² states that;

3.32 there may be occasions where a prisoner is either in a sensitive area such as the showers or is partially clothed but his/her behaviour is violent and aggressive and where the over-riding requirement is to record what took place. *Such circumstances will be exceptional and in each case the accompanying paperwork must set out the justification for recording such images.*

3.33 *Where such footage contains intimate body parts, consideration must be given to pixilation of the footage where there is a need for copies to be made or for it to be made available for viewing as part of an adjudication.* It is important that the master copy remains “un-changed” on the system.

299. The available footage presented did not comply with the above policy as there was not any pixilation.

300. The staff end up restraining [D2054] in the supine position and for a short time leg control is also used. It is quickly released and the female member of staff leaves the room. [D2054] continually shouts ‘Jesus’ and is agitated by having to be escorted from the centre. The decision is made to handcuff if non-compliance is demonstrated, this was covered during the briefing. The handcuffs are applied with [D2054] in the seated position. This is a method that has been removed from the training syllabus due to the risks from compressing the chest and experiencing breathing difficulties associated with being bent forward for prolonged periods of time. If handcuffs are required to a detainee in the supine position staff should firstly stand them up and apply the handcuffs whilst standing upright. Once stood up a towel is provided to cover [D2054] before they exit the room.

⁹² PSI 04/17; issue date 20 March 2017 -

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