

Detainee concerned: [D687]

Date of incident: 13th May 2017

Reason for force as listed on the UOF report: Prevent self-harm and for refusal to transfer

Staff involved: DD Haughton, DCMs Donnelly & Farrell, DCOs Martin & Tulley.

Background

214. [D687] was due to be transferred from the Centre and the escort staff from Tascor were ready and waiting for him to be handed over.

215. Staff observed [D687] in the toilet of a holding room with a ligature around his neck that was tied to the fixture within the room. Staff were engaging with him but he was resisting any attempts to move from the Centre and stated that he would harm himself.

216. The Duty Director, Dan Haughton, attends and engages with [D687]. Seeing that [D687] has an unlit cigarette he offers to light the cigarette and uses this as a ploy to move closer and initiate a restraint. After a short struggle staff gain control and handcuff [D687], who is then moved in preparation for escort. DD Haughton states that he was in possession of a fish knife, therefore it is clear he had every intention of intervening and had the option of cutting the ligature.

Observations/Opinion

217. The only footage from within the toilet was from the covert camera operated by DCO Tulley. All other evidence is from CCTV and staff reports.

218. CCTV footage - CJS0073760⁷¹– times from disc

00:00 one member of staff at the door, which is ajar but when opens shows two staff in the room.

02:36 Two staff arrive, one in uniform the other in civilian clothes. I assume this is DD Haughton. DD Haughton enters the room and then comes out and moves out of shot and talks to another member of staff. He then re-enters. No healthcare are at the scene based on the footage reviewed.

⁷¹ Disk 42 13May2017 1356

appeared surprised by his actions which lead me to assume there was no warning of his intentions. Negotiation and persuasion should have continued, especially as the incident was contained and not effecting the regime.

239. *Necessary, reasonable, proportionate*- Once the decision to end the incident was made the force used was proportionate in the main, with the exception of a leg restraint being used for no apparent reason. I do not believe the restraint was necessary in the first place as engagement was taking place and staff could react if the threat to D687 escalated.

240. *No more than was necessary*- The force used did not exceed that which was necessary, except the leg restraint. The application of handcuffs resulted in the restraints being removed.

241. Rule 41 (2) provoke or punish a detainee- No evidence to support this.

242. The means used to initiate force do not in my opinion represent the professional standards expected of staff, let alone a senior manager. The additional use of the leg restraint raises concerns as to why staff feel this is a default position when there is no evidence to suggest additional control was required. More time should have been given to address the needs of D687 and consideration for alternate ways of resolving the situation.

References

UOF training manual - role of supervisor (section 3.1)