

BROOK HOUSE INQUIRY

Supplemental Witness Statement of Ben Saunders

I provide this supplemental statement in response to additional questions asked of me by the Inquiry and further to my statement dated 17 February 2022.

I, Ben Saunders, will say as follows:

Question 1

1. [INN000007 p2 para 5 and p52 para 209] Following my return to Brook House from my interim Director role at Medway STC in around June-July 2016, I remember having a conversation with the SMT about being vigilant with their staff. I also remember speaking to the wider staff team during a staff forum and walking around the Centre daily after the Panorama broadcast, speaking to the staff on duty.
2. The events at Medway shown in Panorama took place 3 and a half years after I left in 2012. Certainly, I never thought that the events at Medway could never happen at Brook House, it was important to make sure that they never did. I never thought there were people behaving in the way shown in the Panorama programme, there was no evidence to suggest there was. Nevertheless it was opportunity to reemphasise the importance of appropriate staff behaviour and practices, of acting in the way staff had been trained and of staff being vigilant and mindful.
3. I did not warn that something like the Panorama documentary *would* happen. It was more that something like the Panorama documentary *could* happen and that we

should be vigilant and report actions and behaviours that were not acceptable or in line with our values, expectations, training and policies.

Question 2

4. [INN000010_10-11 and INQ000101_25-26, 29-31] I recall the occasion that Owen Syred recounts in his statement and have a vague recollection of our interaction. I recall Owen Syred was quite upset by this. As Centre Director, I had to rely on my SMT to deliver their roles appropriately and dealing with this sort of issue would have fallen under Steve Skitt's remit. I am not seeking to deflect responsibility but I recall asking Steve Skitt to investigate and provide support. My role was to provide oversight, support, guidance and coaching. I cannot recall anything that happened after this but if Owen Syred's recollection is correct, then that is regrettable. It was important to support him and in hindsight, I acknowledge I should have tried to make the time to follow up on this personally.

Question 3

5. [CJS0073663, CJS0073671, CJS0073677, CJS0073681, CJS0073632, CJS0073633] I always felt that when I took on the role of Centre Director in 2012, I inherited a team that was needy and dysfunctional. As the Verita report notes, *"since Brook House opened in 2009, there has been a history of dysfunctional relationships and instability in the senior management team"*. I deal with this more fully in my first statement. I would not describe the management culture under my leadership as one that was "tarnished with bullying accusations against and between various members of the SMT". Whilst a difficult team to manage, I would not describe the behaviours of the SMT as bullying.
6. I vaguely remember an accusation by Adam Clayton against Nathan Ward but I am sure this was investigated and it was found to be unsubstantiated. I do not remember any other accusation of bullying against Nathan Ward.

7. I recall being notified of concerns about Luke Instone-Brewer and Babs Fagbo supplying spice to detained people. These two individuals were monitored by Steve Skitt and the Security team, and the police were informed and were involved. I cannot recall precise details of the outcome.
8. I do not recall that Stacie Dean was taken off the investigation into Luke Instone-Brewer and Babs Fagbo antagonising and goading detainees.
9. I have a vague recollection of Michelle Brown raising concerns about DCO Anais Albert goading and provoking a detainee, and of asking Steve Skitt to investigate and provide support. I cannot recall anything that happened after this.

Question 4

10. I have reviewed DL0000141 paras 52-53, 321 and 328 first statement of Rev Nathan Ward and also INQ000101_50.
11. I have taken Nathan Ward's allegations that I was incompetent and turned a blind eye to abuse, that I lacked operational experience, that my leadership and management style did not safeguard children or reflect good practices, and that I directed the use of unlawful force and the destruction of evidence of negligence, to relate to my tenure as Director at Medway STC.
12. I have reflected on the allegations and have not understood why Nathan Ward, who I know had wanted to be Director at Medway, has made these allegations against me nor indeed what he has based these allegations on.
13. During my time at Medway STC between 2002 and 2012, of which the last 5 years was as Director, there were significant improvements made to Medway in relation to the management structure; safeguarding including audit by the local safeguarding children's board, and the Senior Practitioner from the local authority reviewing all safeguarding allegations and complaints made; the provision of basic essentials and improved educational and recreational services; improved conditions; and a safer

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environment for young people to live. Inspection outcomes went from uninspectable to outstanding.

14. Following the Panorama programme into Medway, I was asked for specifically by the Youth Justice Board to take up the Interim Director role based on my previous record at Medway.
15. The allegations made by Nathan Ward are unsupported by the evidence and certainly not ones that he has shared before.
16. Inspections by HMIP of Brook House were unannounced. The lead inspector and researchers always arrived initially on a Monday followed by the full team on the following Monday. I do not think it unreasonable nor unusual, when aware of an impending inspection, to use it as an opportunity to reinforce best practices and to reinforce to SMT and to staff the importance of best practices.
17. Inspectors were always given unrestricted access to the Centre, and to staff and detained persons. There were no areas that were off limits. I welcomed inspections as I saw them as opportunity for feedback.
18. Duncan Partridge was recruited as my Deputy Director when I joined in 2012 and I have described the difficult relationship I had with him. Steve Skitt became Deputy Director after Duncan Partridge left. Nathan Ward makes allegation that “the management of Brook House went further downhill very quickly under their leadership, particularly in respect of staffing and sickness levels, and poor staff morale”.
19. Clearly the departure of three senior managers at the same time in 2012 brought about a destabilising effect at the Centre. I have already spoken about the difficulties from Duncan Partridge’s tenure as my Deputy Director and in managing the SMT which I inherited. I accept there were some internal challenges around stability and in staff morale. However I do not accept that the management of Brook House went downhill under my leadership.

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Question 5

20. [DL0000154_3-5] I have been referred to further allegations made against me by Nathan Ward. It is unclear which allegations the Inquiry wishes me to comment on as there are so many made against me and against many others too. Specifically in relation to any allegation of bullying that he has made against me, I refute any such allegation.

Question 6

21. [CJS000768; INQ000101_34-35; INQ000101_37] I have been referred to document CJS000768 and Nathan Ward's evidence to the Inquiry that a lower throughput of detained persons at Brook House meant buying less clothes, shoes and other consumables, and that it was cheaper to run. He makes reference to CJS000768 and to me stating the inflated profits that G4S were making out of the contract.
22. Nathan Ward is correct that lower throughput of detained persons meant that less consumables would be used. The throughput of detained persons at Brook House was entirely a decision of the Home Office; G4S had no say in who arrived, when they arrived and when they left. There was also a contractual clause which addressed this in commercial terms if the occupancy fell below a particular level.
23. Document CJS000768 was a G4S template I was required to complete. It showed a percentage profit as against the contract profit. Profit moves throughout a contract where there is financial risk and return. There was nothing unusual here where the percentage profit reflected the nature of the type of contract that was in place.
24. Nathan Ward makes another allegation against me around his concerns about 3-bed rooms that the rooms would be stuffy, the air would be stale and smell. He says I told him not to share this with the Home Office. I cannot recall this conversation with Nathan Ward and the context in which it may have taken place if indeed it did.

25. Any decision around the addition of beds was made entirely by the Home Office following their survey and assessment of the impact and feasibility of additional beds in rooms including factors such as space, ventilation. We had some input in the process as we were there to operate the Centre but ultimately it was Home Office's building and it was their decision based on their survey and assessment.

Question 7

26. [SER000009 p2, Q4] I have already described how I tried to be visible in and around Brook House, and I believe that I was, however I have also accepted that I may not have been as visible as others might consider.
27. I remember Scott Hamilton and I thought that, before reading this, we always had a reasonable relationship. I am sorry he has expressed the views he has expressed but I do not feel they are an accurate reflection. We had daily morning briefings which he attended and I always felt that whenever I saw him in and around Brook House, I knew exactly what was going on and we had conversations around that.

Question 8

28. [CJS0072913] I have read CJS0072913 on the grievances raised by David Waldock. I do not know when the allegations were that he refers to and I am unsure what further I can add.

Question 9

29. [INN000004 and INN000013_33-34 (para 101)] I do not remember the detail of the grievance brought by Shayne Munroe against Dave Killick.

Question 10

30. [CJS0073334] From memory, I chaired the meeting into the grievance raised by Dave Killick as is recorded in the notes.

Question 11

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31. [CJS0073636] This incident involving D3477 and a member of staff came through the whistleblowing line. I was contacted by G4S's lawyer for information which I provided. This was a serious incident which I would have wanted to be involved in.

Question 12

32. [INQ000120_8 (para 26)] I do not agree with comments made by John Connolly.
33. I have already set out in my first statement my experience and knowledge of C&R.
34. As regards C&R course, I had not completed the C&R course but I was aware of the techniques involved. When reviewing C&R, I would check with the C&R instructor on any queries concerning C&R techniques.
35. It was not that I declined the offer of a C&R package. For my part as Centre Director, it was a question of priorities. I was not in a position when I would use C&R indeed it was something to be avoided in my position.
36. I do not agree that my visits were rare and officers felt abandoned. There were daily morning briefings, I did walk arounds and duty directorships. It was not my role or responsibility to be present throughout the Centre all of the time.

Question 13

37. [INQ000052_42 at para 166-168] I do not agree or accept that there was a general "culture of silence" across the work force at Brook House.
38. The whistleblowing procedure was well advertised in and around the Centre and there were clear indications that the whistleblowing process was being used as we have seen. Whilst not a positive indicator, the number of grievances between staff also suggests there was no culture of silence. The work force was encouraged to report matters they were unhappy or uncomfortable with.

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39. I accept in regard to the behaviours and incidents we saw on the Panorama programme, that many of these went unreported or were not raised as an alarm. Clearly, this was very concerning however we identified and removed 17 people from post in a staff team of 500 in respect of the investigations around this. This is a minority within the staff team and does not indicate a cultural issue.
40. I do not agree or accept that “a lack of demonstrable oversight, interest and engagement from [myself] and [my] senior management team allowed the abusive culture in Brook House to fester and go unchecked”.
41. Despite the challenges of the Centre and between SMT members, I believed we were all committed, interested and engaged in the best outcomes for the Centre, and for the staff and detained persons.

Question 14

42. [INQ000091] The note by Dominic Aitken which records me as saying that the Home Office did not seem particularly concerned about violence is not accurately recorded.
43. The Home Office clearly were concerned for the safety and wellbeing of detained persons and of staff. I provided quarterly and monthly reports and gave presentations to the Home Office identifying all key information on throughput, releases, Use of Force, Rule 14 and 42 separations, incidents of violence and assaults, all around the safety and wellbeing of detained persons and staff. These were all required by the Home Office as part of our reporting.
44. My belief is that in relation to Brook House as an immigration removal centre, the Home Office seemed more interested in contract delivery.
45. My view about the potential for the Home Office to outsource casework is as noted. The case work process was one of the fundamental delays in getting people through the detention process. If there were ways by which the time people spent in detention could be minimised, they should be considered. My experience of

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caseworkers was quite mixed and I believed that the process could possibly be speeded up if outsourced.

Question 15

46. [CJS0073709 P67-68 (paras 7.6-7.9, 7.11)] I accept that I may have given the appearance of focusing on customer relations. As Centre Director, I was required to run Gatwick IRCs, manage the customer and deliver the contract, which involved engagement with outside organisations. My job description was very much geared towards operational oversight but also growing the business and managing stakeholders. There also came a time when greater rigour was required in terms of contract management. This was very much my job and it was what my superiors required and expected of me.
47. I do not accept this was at the expense of more active management at Brook House and of engagement with managers and staff and everyday performance matters. The Head of Brook House had responsibility for more day to day operations and there were “Heads Of” roles that I relied on. I made myself as visible as I could and I had an open door policy.
48. As regards passing questions to another manager, this is probably a fair observation. My management style has always been to engage people and hold people accountable for their roles and areas of responsibility.
49. I have dealt with my visibility in and around Brook House.
50. It is fair to say that I did not seek out confrontation however I always encouraged appropriate challenge with and amongst staff. I never encouraged confrontation. I accept that with the benefit of hindsight, I could have been stronger with people but this should be considered in the context of the grievance culture that I inherited and experienced.
51. [CJS0073709 P71 (para 7.20)] I stand by my comment about Juls Williams.

52. [CJS0073709 P73 para 7.28] As a general comment, I stand by my comment about disciplinaries. However, in the case of those involved in the behaviour witnessed on Panorama, this required immediate removal from post because of the severity of the conduct and gross breach of trust. I think the actions taken were proportionate and appropriate.
53. [CJS0073709 P237 para 14.23] There is nothing here I would not say again about GDWG.
54. [CJS0073709 P249 para 14.60] The comment from Jerry Petherick appears to be a broad statement about his team and speaks more of the shortcomings of his own structure. I remember discussions with him in his SLT team meetings where he said he was spread too thinly. I believe this is about him being more supportive and present rather than trusting. I would have welcomed more support from him.
55. I had weekly calls every Monday with Jerry Petherick which he held with directors from all the establishments to provide a summary of the previous week's issues, we had monthly and quarterly reviews, and there were trading reviews. Any serious incidents, as defined, were reported upwards to him or Lee Hanford. I spoke to Jerry Petherick about the difficulties I had with the SMT team. We were very open and completely transparent with Jerry Petherick, we held nothing back from him.
56. [CJS0073709 P250 para 14.64] I raised a number of queries about the report with Verita and this was one of them. Reference to me having made it plain that I had not been fully in touch with what had been going on was an opinion expressed not by me but by Verita who I considered were not qualified operationally to make that claim.
57. The cultural kitchen was separate to the food that was served at mealtimes to detained persons on the wings. It was not a contractual requirement and formed part of activities. It is fair to say that any problems with Aramark were dealt with by

Steve Skitt. I would not have been involved in this directly nor do I have a recollection of it almost 5 years after the event.

58. [CJS0073709 P251 para 14.66] I had what I thought was a positive relationship with Jerry Petherick. I believed he thought well of me as he had never given me indication to the contrary. Jerry Petherick had never before shared with me any concerns he had about my management of Brook House. He had never relayed to me at any time throughout my 5 year tenure as Centre Director his concerns in any feedback nor in any performance review that would have given me opportunity to act on them and to improve if he so believed. My performance reviews were always positive.
59. I was asked by the company to manage another centre in 2016 for 5-6 months due to my experience which, I assume, would not have happened if I were not well regarded or sufficiently able to do so. The announcement at the time publicly reflected this. Written by Jerry Petherick and his team, it read: "We also announce the appointment of Ben Saunders as the interim Centre Director for Medway STC. Ben is a qualified social worker with extensive experience of working with vulnerable people and will give the ministry's independent improvement board our full support".

Question 16

60. [INN000007_31 para 130] I gave a briefing to staff soon after Panorama was aired. The behaviours captured in the documentary were shocking and unacceptable and everyone who worked or were associated with Brook House were affected by it. I maintain that all staff members who were working at Brook House, save for the minority, were all decent hard working individuals who were aligned with the ethos and culture of looking after the safety and welfare of detained persons. We were all in a state of shock and anger, and we were having to cope with the aftermath of the programme. I wanted to address the staff team, it was not something I could remain quiet about.

61. The fact is that Callum Tulley had not gone through and did not attempt to go through the right channels, and he had brought recording equipment into the Centre in breach of the rules.
62. Issues around safeguarding, welfare and wellbeing of detained persons were fundamental to his role, and as a certificated custody officer, he was under a duty to report issues around safeguarding, welfare and wellbeing.
63. He should have raised issues with other staff members or his line manager, and if he did not feel he could for whatever reason, he should have gone down the well-recognised and publicised confidential whistleblowing process. We have seen elsewhere how this process was followed.
64. I firmly believe that had Callum Tulley raised the issues through the whistleblowing process and followed proper processes and procedure, as he should have done, many of the behaviours witnessed in the documentary could have been prevented. He chose not to do so and instead, he placed the safety and welfare of detained persons at risk.
65. I provided speculation that Callum Tulley had acted out of financial gain and career progression. It was never confirmed to us as fact but we had heard that he had received from BBC a substantial financial payment in the region of £100,000 and the promise of a job working as journalist despite no prior experience, in return for capturing the footage. I believe he continues to work as a journalist for the BBC.
66. The footage captured by Callum Tulley was both shocking and abhorrent; it cannot be denied nor undermined. I was not seeking to do so and have never sought to do so. Rather I was expressing my strongly held belief that his actions and motives were not for safeguarding the welfare of detained persons, and that had he reported these issues through the correct channels, the behaviours of a minority could and would have been stopped.

Question 17

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67. [CJS0073058; CJS0073154; CJS00073208] All disciplinary processes were followed in consultation with my line managers and G4S HR Director, and with the G4S lawyer. I remember going through with them all allegations received from Panorama and looking at as much evidence of our own as possible, considering who had done what. I was instructed by Jerry Petherick and Paul Kempster to place people on precautionary suspension or redeploy them in non-detained person contact roles depending upon the seriousness and gravity of the allegations and the available evidence.

Question 18

68. I was acting in accordance with instructions from Paul Kempster and Jerry Petherick around how to treat each member of staff in relation to the Panorama programme. I believe they were working with a wider, more senior group within G4S that included senior HR and the Press Office. G4S would have taken a strong line and there was expectation that suspension would be swift.

Question 19

69. [INQ000120_12-13 (paras 40-43)] The evidence against John Connolly appeared clear and incontrovertible. He used the word “nigger” several times and he was advocating a very overly robust approach to restraint that was inappropriate. He refuted the allegations but I had to take the evidence on face value. I could see no reasonable explanation other than the footage was presenting an accurate picture of what happened. I believe we came to a reasonable conclusion which had the involvement of HR and employment lawyer.

Question 20

70. As soon as the Panorama programme aired, I knew that my time at G4S was limited. A few weeks after, Paul Kempster called me asking for my attendance at a meeting

with him and the HR Director at a local hotel. We met as arranged and during the meeting, Paul Kempster explained that I was being suspended from duty and that I may wish to consider an option to resign and negotiate a settlement agreement. I was told that the alternative to this option was to face a disciplinary process. In the face of the options presented to me, I resigned from the company.

<u>Statement of Truth</u>	
I believe that the facts stated in this witness statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.	
I am content for this witness statement to form part of the evidence before the Brook House Inquiry and to be published on the Inquiry's website.	
Name	Ben Saunders
Signature	<div style="border: 1px dashed black; padding: 5px; display: inline-block;"> Signature </div>
Date	1 March 2022

Witness Name: [Witnesses full name]
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