

73. A. That would come through target setting, budget setting, budget challenge, tasking that would come up.
74. Q. Did Jerry's team ever say to you this is what they want from above? This is what we have to deliver?
75. A. Yes.
76. Q. That is how it would be expressed?
77. A. Yes.
78. Q. You sometimes felt that maybe they were a bit thinking, could we concentrate on a wider discussion, but they also had these pressures on them?
79. A. The trading review, there's a governance element to the meeting. When we go up, I presented my 100-slide deck, not in its entirety, but we did move to some more sensible arrangements around it, although reverted back to some points. However, the purpose was really governance on my management information and my figures, and they were wide-ranging. I don't know if you have seen the slide deck from me providing a summary of operational news, good and bad – some things for discussion, some things for decision. Therefore, it shouldn't really surprise us on there. I don't normally like to go into those meetings and illuminate on something that I haven't heard of before, because that tended to be a bit more difficult. You only have a two-slot window, it was quite pressured. They would line up and then Jerry and his team would line up.
80. Q. How long did the meetings last?
81. A. They were scheduled for two hours.
82. Q. How often did they take place?
83. A. Monthly, in Birmingham every time, and it was normally they scheduled all of the trading reviews into two consecutive days, so in some ways we got off lightly, but the people who held all the other trading reviews were in for a day of trading reviews, and that is pretty heavy.
84. **Mr Marsden:** Ben, can I just dig into this issue of the trading review profitability? There was a margin built into the contract? That's a question – was there?
85. A. Yes.
86. Q. Your month-by-month responsibility, as the Director, would be to make it profitable, more profitable?
87. A. These contracts, when you have them, yes, you have a set profit margin as part of it, but as a –
88. Q. With all being well, and you run the centre in the way that the bid anticipated –
89. A. Yes.
90. Q. You will deliver a margin?
91. A. Yes. There is an expectation that you deliver more.
92. Q. Yes. That is what I am getting at, I suppose.

93. A. Yes, there is an expectation, and that's normally based on what you paid the year before, so the budget setting will be you made this the year before, why can't you do it this time?
94. Q. That money is not for re-investment in Brook House?
95. A. No.
96. Q. That money is for –
97. A. I don't know where –
98. Q. It goes to –?
99. A. To more substantial parts somewhere.
100. Q. It goes to the shareholders?
101. **Ms Lampard:** When you say it was based on the year before, as in, you made that amount of money last year, why can't you do the same for this year, was there also an expectation that, actually, this year you might do better than last year?
102. A. Yes, there was some target, but that is wrapped up in all sorts of other ways. It is not just about making the profit. I don't know if I am able to talk about 60 beds, but it could be about new business, or organic growth. It could be through other initiatives. There was an expectation that I would have discussions with the customer about how we might extend the contract, or how we might develop different services.
103. Q. Therefore, it wasn't based just on the bald money?
104. A. No.
105. Q. It was based on business accrual, as it were?
106. A. Yes.
107. Q. However, equally, we all know what that really means at the end of the day, don't we, which is that it is more profitable.
108. A. Yes, there is a focus on profit. There is a focus on profit and there is a focus on cash. The kind of large business that it is, monthly reporting, and you get near the six-month figures coming out and there is pressure.
109. **Mr Marsden:** Just give me a flavour for what would deliver in a good trading review for your accounts, and what would have delivered an uncomfortable trading review?
110. A. I will say that I know I have talked about money quite a lot, but we were in a good financial situation. I am sure you know how the contract was operated financially in terms of the fixed fee, so there were no variable earners to that. We made our savings from looking at how we could save on budgets that we had set against the year, about any kind of savings opportunities we could do, being more economical with cleaning products or –
111. Q. It is squeezing and using some logic?
112. A. Yes, exactly, and it is quite small figures. Staffing vacancies generated some profits because you were saving on costs that you had already looked at. Therefore, we were typically in a good position financially because we didn't incur massive, great penalties, generally. The big penalties were coming from things like escapes in terms of large figures, but from a penalty point of view

246. A. It is difficult, isn't it? How do you know what you don't know? You have a responsibility to go and find out what is going on in our places, and I have taken full accountability for what's happened, but I feel very let down by individuals because you put your trust in people. It doesn't mean to say that you don't monitor and check and do all the things that you should do, but I feel really let down by individuals who have behaved appallingly.
247. Ms Lampard: When you say the individuals, do you mean the ones who were featured in *Panorama*, do you mean other members of your team?
248. A. Certainly, those people who featured in *Panorama*. I feel really let down because we were very clear through training, and refresher training and I would give messaging out in morning briefings every day, and staff forums, and new ITCs that would come in. I talked very explicitly, very clearly, around the importance of doing our job with a very clear consideration for the human element of what we do.
249. Frankly, the Home Office didn't really care about the people we looked after, and that's a very general kind of comment and I wouldn't want it quoted in that way in the report. There are elements of people in the Home Office who did care very much, but the Home Office entity corporately was mostly concerned about the removal process and the functionality of it.
250. Q. Could I say, frankly, the Home Office corporately didn't really care about how you looked after people?
251. A. Or didn't appear to, maybe. We had a number of examples. For example, I can remember a guy who was released and he wouldn't leave and we were told that we should restrain him out of the door onto the road, and we just refused to do it. We were patient with him. We can't do that. I don't believe in that kind of practice.
252. Mr Marsden: Who was that at the Home Office? Was that Paul?
253. A. I can't remember specifically who it was, but the expectation was he needs to leave. It was the major corporate flavour. It was the feel of it, whereas my view is we must do our work. Okay, we are agents working for the Home Office and we have a job to do, and it is not our job to get involved in the decision-making process. We deliver what the contract expects us to deliver, but we must do that in a humane way and we must do it with a conscience, considering people's welfare and wellbeing.
254. Q. Was that then losing sight of the humanity of all of this, or was this, actually, we want to create a slightly more hostile environment? It sounds like more humanity, just a big machine -
255. A. The hostility - there is this hostile environment approach, isn't there, to people who shouldn't stay here in the country. There was an element of you have had opportunities to leave before now, and now you find yourself in an IRC, so you have brought on yourself a kind of attitude is what I found. I was really struck by the desperation you could see in people sometimes, because whatever the situation, whatever the decision that has been made, some of them feel very genuinely desperate about returning to their countries for whatever reason, and you see that on a daily basis. The staff are exposed to that on a daily basis, which makes it one of the most challenging jobs, I think, dealing with people who are that desperate and that challenging.

544. A. I think there have been some attempts to try and get those meetings off the ground. I am not quite sure why they didn't, but they didn't really happen. Steve was doing some work on it.
545. Mr Marsden: Is it Steve's responsibility to make that happen? I am just trying to pin down in my own mind where responsibility for that is.
546. A. Ultimately, it is me to drive it. I am not trying to shirk my responsibility here, but, ultimately, I was the Director and it was for me to be able to say, "this needs to happen, and it needs to happen now." We experienced some frustration getting it off the ground and getting it embedded, and we revisited it to say, "come on, what's the reason that this hasn't happened? This needs to happen."
547. Ms Lampard: You had some instructors looking at footage?
548. A. Instructors looked at every incident of force, and there would be records of the reviews, because they wrote records of reviews about whether there was appropriate action taken, good practice, whether there was any –
549. Q. Did you oversee those? Did you go and look at them yourself?
550. A. Yes, and Steve did. Then we would follow up, have conversations with staff around it. I was very keen, especially after the Medway experience, because I went back there for six months after the *Panorama* programme, and I was very keen for there not to be a blame-type culture, because my experience of Medway was that was a fear of what the consequences might be. Therefore, I was very careful in my language and in morning briefings I would talk about accountability because we all have accountability, we all have to justify our actions, but there were also lessons to be learned, and let's talk about it in terms of a lessons-learned exercise. Particularly something like reviewing a situation of restraint, which becomes quite emotive. People can still have feelings related to it, so the timing of talking to people is important.
551. However, equally, it is okay for us to go and say, "there are things that you could have done a bit better here. With the benefit of hindsight, do you think you could have acted differently, and will you take that into your next situation where you find yourself in similar circumstances? You could position yourself differently. You could have done this differently, or spotted this earlier." There are lots of different things.
552. We have to have all been accountable, and if there were serious issues that needed to be addressed, then, of course, that needs to be addressed formally, but, equally, there is room for some conversations about best practice and where you could learn from the situation.
553. Q. I have one other big area I wanted to talk about, which is I want to go back to the issue of supporting staff. You talked about your experience as a social worker, and the idea of reflective practice. Ed is a clinician by background, it is all about supervision and reflection, and trying to deal with how you responded to something. That is something that we have not found at all with IRCs. The idea that hot and cold debriefing, it is somebody apparently turns to people at the end of an incident just to say, "are you okay", and that is about it, but no culture of sitting down and saying "did we get that right? Did we get that wrong?" Is that your experience?
554. A. No. I have experience of hot and cold debriefs at Brook House. My experience is incidents that I have been involved in, or involved in managing,