

<p>1 Tuesday, 29 March 2022</p> <p>2 (10.00 am)</p> <p>3 PROFESSOR MARY FRANCESCA BOSWORTH (affirmed)</p> <p>4 Examination by MR ALTMAN</p> <p>5 MR ALTMAN: First of all, give us your name, if you would,</p> <p>6 please.</p> <p>7 A. Mary Francesca Bosworth.</p> <p>8 Q. It is Professor Bosworth?</p> <p>9 A. (Witness nods).</p> <p>10 Q. Can you tell us something about yourself, and if you</p> <p>11 need to refresh your memory about it, you will find in</p> <p>12 your first report, of which there are two, your</p> <p>13 experience at 1.1?</p> <p>14 A. Sure. I am a Professor of Criminology at the University</p> <p>15 of Oxford, where I'm also Director of the Centre for</p> <p>16 Criminology. I have been conducting research inside</p> <p>17 immigration removal centres in the United Kingdom since</p> <p>18 2009, although it has to be said not during the</p> <p>19 pandemic, and I have also done research on human rights</p> <p>20 monitoring in immigration detention centres in Greece</p> <p>21 and in Hungary.</p> <p>22 Q. Would you say you're an academic, essentially, or does</p> <p>23 it go further than that? I mean, is the research in</p> <p>24 order to advise policy and guidance to governments?</p> <p>25 A. No, I would say I'm an academic primarily, but I have</p> <p style="text-align: center;">Page 1</p>	<p>1 you go to page 3, paragraph 1.6. Your letter of</p> <p>2 instruction included the provision by the inquiry of</p> <p>3 access to material originally, which included: PSU --</p> <p>4 Professional Standards Unit -- investigation reports;</p> <p>5 the Gatwick IRC security meeting minutes; G4S policy and</p> <p>6 procedure documents; management reports; training</p> <p>7 documents and risk assessments; publicly available</p> <p>8 reports on Brook House; walk-through videos and plans of</p> <p>9 the physical environment of Brook House. Pausing there,</p> <p>10 did you visit Brook House?</p> <p>11 A. I did, yes.</p> <p>12 Q. When was that?</p> <p>13 A. When was that?</p> <p>14 Q. Roughly. Was it last year sometime?</p> <p>15 A. No, it was this year.</p> <p>16 Q. The one visit, were you shown around the whole building?</p> <p>17 A. I went on the same day as Dr Hard, and we were shown --</p> <p>18 actually, not around the whole building, but to one of</p> <p>19 the housing units, and to E wing.</p> <p>20 Q. You examined a number of transcripts of interviews</p> <p>21 conducted by Verita?</p> <p>22 A. Mmm-hmm.</p> <p>23 Q. You viewed broadcast and unbroadcast BBC footage, and</p> <p>24 you had access to IMB documentation, including board</p> <p>25 minutes, agenda visit logs and complaints. Since your</p> <p style="text-align: center;">Page 3</p>
<p>1 contributed to some policy. I wrote literature reviews</p> <p>2 for both of the Shaw reviews and I have had regular</p> <p>3 meetings with various people in the immigration</p> <p>4 detention system around my research findings over the</p> <p>5 years.</p> <p>6 Q. So you know your way around immigration detention?</p> <p>7 A. Mmm-hmm.</p> <p>8 Q. Here and abroad?</p> <p>9 A. Yes.</p> <p>10 Q. What are your professional qualifications, as such,</p> <p>11 apart from that being what you do? What qualifications</p> <p>12 do you have, degrees and that sort of thing?</p> <p>13 A. I have a PhD in Criminology from the University of</p> <p>14 Cambridge.</p> <p>15 Q. For the purposes of this inquiry, you have made two</p> <p>16 reports: one, your original report and the other one</p> <p>17 a supplementary. The first report, chair, is</p> <p>18 <INQ000064>, dated 17 November of last year, and the</p> <p>19 second is your supplemental report of 9 February of this</p> <p>20 year, <INQ000123>, and I would ask for those to be</p> <p>21 adduced in full.</p> <p>22 THE CHAIR: Thank you.</p> <p>23 MR ALTMAN: Let's, using your first report -- you should</p> <p>24 have that in front of you -- look at what your</p> <p>25 instructions were for the purposes of this inquiry. If</p> <p style="text-align: center;">Page 2</p>	<p>1 original instruction, you produced a supplementary</p> <p>2 report. Was that based on additional material?</p> <p>3 A. It was, yes.</p> <p>4 Q. What was the nature of the additional material you were</p> <p>5 supplied with; do you remember?</p> <p>6 A. Well, I was given some material -- some additional</p> <p>7 material from G4S. For instance, the contract that was</p> <p>8 in place at the time. I was also given some additional</p> <p>9 material from Serco, who are currently running</p> <p>10 Brook House. And I was given some additional witness</p> <p>11 statements from some of the staff members.</p> <p>12 Q. At 1.7 -- we don't have to list it -- there you set out</p> <p>13 the topics that you were asked to examine --</p> <p>14 A. Mmm-hmm.</p> <p>15 Q. -- between the relevant period of the months of April</p> <p>16 and August 2017. You have also watched, I think, parts</p> <p>17 of the evidence which has been heard in this inquiry?</p> <p>18 A. I have.</p> <p>19 Q. I think that includes parts of the evidence of</p> <p>20 Derek Murphy, Sean Sayers, Dan Lake, Ben Saunders,</p> <p>21 Sandra Calver and Peter Neden. I think you have read</p> <p>22 parts of the transcripts of evidence from</p> <p>23 Dr Dominic Aitken and Callum Tulley. And I think, more</p> <p>24 recently, you viewed some of the other evidence. Can</p> <p>25 you tell us what that was?</p> <p style="text-align: center;">Page 4</p>

<p>1 A. I watched some of Dr Hard's evidence, some of Dr Bhui's 2 evidence from HMIP, some of Mary Molyneux's evidence 3 from the IMB, Yan Paschali, some of his evidence. 4 Q. In essence, if we look at paragraph 2.3 of your first 5 report, you say: 6 "As part of this inquiry, I have been asked to 7 examine the staff culture in Brook House with a view to 8 explaining how the [evidence] documented by the BBC came 9 to occur and what might be done to prevent similar 10 events happening again." 11 Is that the essence, really, of what you have been 12 asked to do -- 13 A. Yes. 14 Q. -- and what you have sought to do? Now, I am going to 15 be asking you a series of questions. Can I tell you 16 what I'm not doing, which is what you know, Professor: 17 I'm not going to be taking you through your reports. 18 Essentially, I am going to be asking you a series of 19 questions by and large, for the most part, sought by and 20 on behalf of the core participants in this inquiry, as 21 well as some of my own, and from time to time, I will 22 attribute, but not always, those questions to individual 23 core participants. 24 Can I ask you to look, please, at 2.4 on page 5 of 25 your first report, where you say:</p> <p style="text-align: center;">Page 5</p>	<p>1 and, at the very sort of basic level, extremely 2 aggressive language and mannerisms towards the detained 3 population. 4 Q. In your report at 2.5 on page 6, you say: 5 "Some factors were more evident in certain parts of 6 the immigration removal centre [you're talking there 7 about Brook House], especially on E wing, than 8 elsewhere." 9 So, first of all, do you think E wing was 10 a particular focus of problem? 11 A. Obviously, one of the difficulties with coming to 12 conclusions about what was happening is that most -- you 13 know, the footage was mediated through Mr Callum Tulley. 14 So the main sort of primary evidence about what happened 15 was gathered by him, and so it's -- I'm entirely 16 dependent on when he turned his camera on and off, and 17 he clearly turned his camera on quite a lot when he was 18 on E wing. So I think that, you know, that has to be 19 acknowledged. 20 But, on the other hand, I think there are other 21 structural reasons to think that E wing is likely to be 22 a place where there would have been those difficulties 23 because of the nature of E wing in the institution, and 24 by that I mean the way in which E wing was used at the 25 time: for men who were suicidal, who were put on</p> <p style="text-align: center;">Page 7</p>
<p>1 "The evidence I have seen suggests that there were 2 a number of intersecting factors present in Brook House 3 in 2017, all of which contributed to the violence and 4 disorder evident on BBC Panorama. Some of these factors 5 were particular to Brook House at the time; others are 6 inherent to the immigration detention system." 7 Which were the factors, you think, which were 8 inherent, as it were, or particular to Brook House 9 rather than the immigration detention system more 10 widely? 11 A. So the factors just -- 12 Q. The intersecting factors you talk about. 13 A. Well, lots of the things that have already been 14 discussed in the inquiry so far. So there were a series 15 of quite practical issues around staffing levels and 16 around the vulnerability and mental health problems 17 among the detained population. There was obviously 18 a period of quite significant security lapses, so the 19 presence of spice in the immigration removal centre. 20 And then it seems fairly clear that there was 21 considerable staff behaviour that had gone unchecked and 22 that was particularly evident in the footage that I saw 23 from E wing, but that seemed to be distributed around 24 the detention centre, which led to various forms of 25 racist behaviours and also a lot of sexism and misogyny</p> <p style="text-align: center;">Page 6</p>	<p>1 constant watch; for men who had had a medical emergency, 2 often seemingly around drug use; for men who were 3 considered to be recalcitrant, you know, who had been in 4 fights; for men who were facing an early removal from 5 the centre, who they wanted to take out of a normal 6 housing unit; and also for men who were otherwise just 7 considered to need a little bit more attention. And so 8 the mix of all of those people made E wing a very 9 difficult part of the centre. 10 And then E wing, physically, is located quite 11 separately from the centre. So although there is a door 12 opposite it in the corridor, that door is not -- which 13 goes into another housing unit, that door is not 14 normally used. So the entrance to the housing unit is 15 on the floor above. So all of those factors together 16 meant it was a complicated place which was out of sight. 17 Q. So that's one of the first factors you mention which 18 impressed you, as it were, in terms of the conclusions 19 you arrive at. 20 Secondly, at 2.6, you talk about, "significant 21 questions about the relationship between care, trust and 22 security in Brook House, and about the extent to which 23 staff in Brook House treated detained people with 24 dignity or decency". What's the focus of attention 25 there? What are you telling us in that paragraph?</p> <p style="text-align: center;">Page 8</p>

<p>1 A. So there I'm talking about a number of different 2 aspects, really. One of the points I'm trying to make 3 there is around the language use that's evident in a lot 4 of the footage. So the sort of -- you know, I was quite 5 shocked by the level of language and the amount of 6 swearing and the kind of clear frustration that officers 7 were expressing to one another about the detained 8 population and also about their colleagues and 9 particularly about their senior colleagues. So that 10 seemed to be -- all of that seemed to me to be an 11 indication that there wasn't, you know, much trust in 12 the institution in any direction.</p> <p>13 I think that the other factor that was, again, quite 14 shocking to me about the footage was the extent of 15 the drug problem. So the sort of number of times that 16 the footage showed people having medical emergencies as 17 a result of having taken spice. So that -- you know, 18 that just showed that one of the very basic aspects of 19 the institution had failed, which was to provide 20 a secure institution.</p> <p>21 Together, I think that those two factors really made 22 it very difficult for officers to care, so to sort of 23 execute one of their key roles, which is actually to 24 look after the people who are in their care and who have 25 had their liberty taken away, and any institution, any</p> <p style="text-align: center;">Page 9</p>	<p>1 material conditions and layout of Brook House, which 2 also shaped their views and practices. There is quite 3 a lot in there. First of all, you call it mundane, but 4 do they have, these issues, contributory, if not 5 causative, effect on the way people behave in their 6 environment?</p> <p>7 A. Yes, I think they clearly do, and I think that's one of 8 the -- it's one of the challenges about talking about 9 staff culture, which is obviously what I was asked to 10 do, is that staff culture is both -- you know, both 11 refers to people's beliefs and values and behaviours, 12 but it does also connect with structures and practices, 13 and those structures and practices are sort of built 14 into, they are baked into, the system. So one of 15 the points that I try and make in both of the reports is 16 that, you know, in an institution like Brook House, 17 where the workers, the DCOs, are paid very poorly and 18 have long shift patterns and are doing work that is, by 19 and large, not particularly interesting and is also not 20 particularly valued, I think that -- you know, that is 21 going to contribute to their view of themselves, to 22 their view of the detained population, to their view of 23 their senior officers, all the rest of it, so -- perhaps 24 I shouldn't have called it "mundane", perhaps that 25 diminishes the significance, but they're the practical</p> <p style="text-align: center;">Page 11</p>
<p>1 custodial institution, has to keep those three elements 2 in balance, and I think in Brook House it was evident 3 that they had fallen out of balance, and once they don't 4 work, then I think you see what happens, which is that 5 it becomes very, very difficult for people to recognise 6 one another, whether that's a colleague or a detained 7 person, as somebody who they will treat with dignity or 8 decency.</p> <p>9 Q. At 2.7, perhaps, which is part of 2.6, you say the 10 evidence suggests the centre wasn't always sufficiently 11 safe or secure. In terms of safety, are you talking 12 just about spice problems or other problems generally?</p> <p>13 A. I mean, I'm mainly talking about spice there. I think, 14 you know, there seemed to be some evidence of, you know, 15 some altercations among the detained population. 16 I mean, I think that happens in institutions like 17 Brook House and happened in Brook House at other times. 18 Obviously there is the second level of safety, which is, 19 were the detained people safe from the officers? And 20 I guess some of the footage shows that they were not 21 always safe from the officers.</p> <p>22 Q. Then, at 2.9, you deal with the, as you call it, more 23 mundane workplace matters, like shift patterns, pay, 24 career progression, professional development, staff 25 recruitment and systems of oversight, as well as the</p> <p style="text-align: center;">Page 10</p>	<p>1 elements which any institution has -- shift patterns, 2 pay, career progression -- and I think they are factors 3 that need attention.</p> <p>4 Q. You conclude that particular sentence of that particular 5 paragraph, 2.9, by saying: 6 "... as well as the material conditions and layout 7 of Brook House also shaped their views and practices." 8 What do you mean by that?</p> <p>9 A. So there are I am referring to the design of 10 the building, that Brook House, as I'm sure we all know 11 by now, is built to a category B prison design. So it 12 is built, really, as a high-security prison. This means 13 that the detained people are held in cells, behind metal 14 doors. Brook House, when it's -- you know, it's not 15 necessarily at the moment because it doesn't have very 16 many people in it, but normally, and certainly at this 17 period of time, it's extremely noisy, there is a lot of 18 banging of doors, there is a lot of yelling, there is 19 a lot of just -- sort of the environment is very 20 stressful. And it is laid out like a prison, and so 21 that means that there are corridors, there are little 22 rooms where you can be sort of out of sight. All of 23 that can lead to behaviour which can sort of go 24 unchecked, and I think that is partly what seems to have 25 happened on E wing.</p> <p style="text-align: center;">Page 12</p>

<p>1 Q. So that we are clear, because there are differing views, 2 certain people -- we may have some evidence about it 3 this week -- say that the physical environment of 4 Brook House did not in any way cause or contribute to 5 the mistreatment of detainees. What's your position on 6 that?</p> <p>7 A. Well, I mean, I think it's quite clear that it did, and 8 I think it's quite clear that it did affect the 9 treatment of detainees because I think what it does is, 10 if you put people -- if you lock people up in a building 11 that looks like a prison, you tell those people and the 12 people who are looking after them that they are 13 criminals, and so then there's a sort of symbolism to 14 it, which I think you -- in Brook House, we also -- 15 there's a lot of evidence to show that that kind of 16 symbolism was reinforced in the training materials, in 17 the language that people were using. It's also 18 reinforced by the fact that there are some people in 19 Brook House, at any given time, who have served 20 a criminal sentence in a prison. So they get kind of 21 bundled together in explanations for who the detained 22 population are.</p> <p>23 I think that -- I mean, I refer to it in my report 24 as "prisonisation", the idea that the custody officers 25 are actually working in an institution that was</p> <p style="text-align: center;">Page 13</p>	<p>1 A. Yes. I mean, I think if you were to have gone into any 2 immigration removal centre at that period of time, you 3 would have found people who had many of those same 4 qualities because of the nature of the immigration 5 removal centre, and so, you know, what a lot of academic 6 evidence has found, and also, you know, reports from 7 civil society organisations, is that the lack of a time 8 limit in the British immigration system creates an 9 enormous amount of anxiety for people who are detained, 10 which affects their mental health, and their mental 11 health deteriorates for the longer that they are 12 detained.</p> <p>13 So in a place like Brook House, and in Brook House 14 specifically at the time, I think that was evident in 15 the footage, in the kind of levels of distress that were 16 evident. But I would expect to find those levels of 17 distress in all detention centres.</p> <p>18 Q. Which is, as far as you're concerned, nothing new, 19 because you said exactly that, if my memory serves me, 20 in appendix 5 of the Shaw report?</p> <p>21 A. That's right.</p> <p>22 Q. The Shaw report of January 2016, that is. 23 The second issue, more general issue, that you point 24 out at 2.11, which is evident from the footage, is 25 detained men struggling to communicate with staff and</p> <p style="text-align: center;">Page 15</p>
<p>1 effectively a prison with people who were, therefore, 2 criminal and dangerous.</p> <p>3 Q. We will come back to that term in a moment. So those 4 are the factors which were peculiar to Brook House which 5 your report builds on. From 2.10 onwards, I think you 6 deal with the -- you say you can't really consider 7 Brook House without looking at the wider system, and 8 I will, although it is, as you appreciate, outside the 9 remit of this inquiry, and indeed yours, but 10 nonetheless, I think you would like to express to the 11 inquiry these wider issues, and so I'm not going to stop 12 you, and it is only fair, because you said that there 13 are intersecting factors not just peculiar to 14 Brook House, but the wider system more generally.</p> <p>15 So at 2.10, you deal with issues of, right at the 16 bottom of the text on page 6: 17 "Some men appear to be fearful, others are angry or 18 aggressive. Some cry, others are suicidal." 19 You say on the next page: 20 "There appear to be people present suffering acute 21 physical and mental health problems." 22 Are you saying that's a problem of the wider 23 immigration system, not just at Brook House -- it was 24 evident at Brook House because what you were picking up 25 on is Callum Tulley's filming?</p> <p style="text-align: center;">Page 14</p>	<p>1 lacking basic English skills. Now, of itself, perhaps, 2 with foreign nationals, not altogether surprising, but 3 what's the impact of that on a detained population with 4 staff who are holding them?</p> <p>5 A. Well, I think it's another key contributing factor to 6 the anxiety and frustration of the detained population. 7 I think it is not too hard to imagine, you know, if 8 I was placed in a custodial facility that looked like 9 a prison and I couldn't communicate with anybody, 10 I think it would be terrifying. I think, you know, it 11 is an enduring problem for immigration removal centres. 12 Some immigration removal centres I think have tried to 13 hire officers who speak multiple languages, and 14 Brook House is not -- was, at the time, not among those 15 centres. That then puts a lot of pressure on those 16 officers to sort of act as conduits of translation.</p> <p>17 Every immigration removal centre obviously has 18 access to telephone translating systems, but they don't, 19 I think, always use them, and they're not unproblematic 20 themselves.</p> <p>21 In the footage, there were a lot of moments where it 22 seemed clear that there was a big communication gap, and 23 there were a few moments where officers tried to bridge 24 it. So there were at least two occasions where they 25 were looking for dictionaries and they tried to talk --</p> <p style="text-align: center;">Page 16</p>

<p>1 they tried to translate with the men. But, of course,</p> <p>2 the men aren't always literate. On at least one</p> <p>3 occasion, which I mention in one of the reports, they</p> <p>4 were trying to communicate with I think it was a Chinese</p> <p>5 man. They found the word in the dictionary and then he</p> <p>6 couldn't read anyway. All of that, I think, just</p> <p>7 clearly makes it a very difficult place.</p> <p>8 Q. You talk about, at 2.12, the case where officers</p> <p>9 question whether one young man should have been detained</p> <p>10 at all because they were concerned about his age. Was</p> <p>11 that the young man who was shown on film who they</p> <p>12 thought was either 14 --</p> <p>13 A. Yes.</p> <p>14 Q. -- which we are aware of. You say, on another</p> <p>15 occasion, officers appear to be concerned about the</p> <p>16 detention of an elderly man. Again, these are</p> <p>17 Brook House instances, but presumably you will tell us</p> <p>18 that these kind of problems arise across the whole</p> <p>19 estate?</p> <p>20 A. Yes.</p> <p>21 Q. Then, at 2.13, you tell us that the documents and the</p> <p>22 video footage mention common immigration problems that</p> <p>23 the detained population faced in 2017: flights were</p> <p>24 cancelled when people wished to leave; others forced to</p> <p>25 go without sufficient time to manage their case in the</p> <p style="text-align: center;">Page 17</p>	<p>1 A. That's right. And so, in the report, what I refer to</p> <p>2 here is not actually that particular moment of</p> <p>3 the restraint, but is before that, where the man is</p> <p>4 calling out for help. I think the reason I selected</p> <p>5 that example is I think it's very important that we hear</p> <p>6 the words of the detained population, and, I mean -- so</p> <p>7 he's making demands and he's saying that he's asked</p> <p>8 nicely for everything, and he challenges the officers</p> <p>9 and he says, you know, "No-one's helped. I've asked</p> <p>10 nicely, with respect. Why are you talking to me roughly</p> <p>11 like this?" And so he is making his own claim there,</p> <p>12 where he's basically saying, you know, "I needed</p> <p>13 something and you didn't help me", and the officers</p> <p>14 don't respond. They stay silent. And then they yell at</p> <p>15 him, and then the restraint happens. So I sort of chose</p> <p>16 that example as a moment where you can see somebody</p> <p>17 being incredibly upset and making requests, and the only</p> <p>18 way the officers respond to him is by being aggressive</p> <p>19 and violent.</p> <p>20 The other -- the next example is on E wing again,</p> <p>21 and it is a different person, and that man --</p> <p>22 Q. Can we just fix the date? It is 30 July, this one.</p> <p>23 A. 30 July. That man screams and screams. I mean,</p> <p>24 I take -- you know, I quote from him, but he -- and</p> <p>25 I quote from him again so that we can actually, you</p> <p style="text-align: center;">Page 19</p>
<p>1 UK or to say goodbye; others moved around the system,</p> <p>2 far from family members; or, having simply been living</p> <p>3 in Brook House for many months, were unsure what's</p> <p>4 happening in their case. Again, that's a common</p> <p>5 problem, although evidenced, as we see, from the BBC</p> <p>6 programme.</p> <p>7 Now, at 2.15, over the page, page 8 of your first</p> <p>8 report, you say that there are three pieces of footage</p> <p>9 which are instructive in thinking about staff culture in</p> <p>10 Brook House in 2017. Can you just take us through them,</p> <p>11 please? What was the first that you felt was</p> <p>12 instructive and why? So we are focusing on staff</p> <p>13 culture, and you say that there were these three pieces</p> <p>14 of footage which clearly impressed you as being perhaps</p> <p>15 symptomatic of the staff culture that was there at the</p> <p>16 time.</p> <p>17 A. So the first is D1527, which obviously appeared on the</p> <p>18 Panorama show.</p> <p>19 Q. Just to remind us, this was the incident of which there</p> <p>20 were several key incidents, if you like, on 25 April,</p> <p>21 but ending up in Yan Paschali straddling the head of</p> <p>22 that detained man and putting his hands around his</p> <p>23 throat?</p> <p>24 A. That's right.</p> <p>25 Q. That's what you're thinking about?</p> <p style="text-align: center;">Page 18</p>	<p>1 know, hear what he had to say. But he's screaming for</p> <p>2 a very long time, and is actually -- I mean, when</p> <p>3 I watched it, it's very confronting to watch. And it</p> <p>4 must have been extremely distressing for him and it was</p> <p>5 obviously distressing for anybody who was in E wing at</p> <p>6 the time, and officers are totally silent. And, again,</p> <p>7 he makes demands. So his demands were about his</p> <p>8 immigration documents, and he seems to be suggesting in</p> <p>9 his quote that he -- you know, he wants to know what's</p> <p>10 going on with his immigration case, and we know from all</p> <p>11 sorts of evidence that that's a very common frustration</p> <p>12 for people in detention, that they don't know what's</p> <p>13 happening in their immigration case, and yet, in that</p> <p>14 moment of him screaming and screaming, nobody goes to</p> <p>15 get the Home Office, nobody tries to respond to that,</p> <p>16 because that's quite a practical concern. Instead, they</p> <p>17 just sit there, totally silently, and, to be fair to</p> <p>18 them, they're doing what they're meant to do, so he was</p> <p>19 obviously on constant watch for suicide, because an</p> <p>20 officer is there, staring at him, writing notes, but</p> <p>21 there's no personal -- interpersonal interaction of any</p> <p>22 sort.</p> <p>23 I think it is a bit hard to imagine another</p> <p>24 situation where, if somebody was so distressed that they</p> <p>25 were screaming for some minutes, that another human</p> <p style="text-align: center;">Page 20</p>

<p>1 wouldn't reach out and say something. So I was struck</p> <p>2 by their silence.</p> <p>3 So in the first example with D1527, the officers act</p> <p>4 and are aggressive and then they are physical; and in</p> <p>5 the second example, they are just totally silent.</p> <p>6 Q. There is a third clip you deal with at your</p> <p>7 paragraph 2.17, which you say offers one officer's view</p> <p>8 of what it felt like to work in the environment and the</p> <p>9 potential impact that being exposed to trauma and</p> <p>10 distress can have on staff. This is about an officer by</p> <p>11 the name of Aaron Stokes. Tell us about that, please?</p> <p>12 A. So Mr Stokes and Mr Tulley are just having</p> <p>13 a conversation, I think it was in the visits hall, and</p> <p>14 in that conversation Mr Stokes, you know, explicitly</p> <p>15 says that he feels mentally drained from his job, from</p> <p>16 looking after the detained population, but -- so he</p> <p>17 begins, I think, with this acknowledgement, which is</p> <p>18 important also for the inquiry to take seriously, that</p> <p>19 it's mentally draining. But then he moves almost</p> <p>20 immediately into quite derogatory language. So he</p> <p>21 doesn't say it's mentally draining -- "I'm mentally</p> <p>22 drained from trying to look after these people", he</p> <p>23 says, "I'm mentally drained from trying to look after</p> <p>24 these nutters". Then he turns, and then he goes into</p> <p>25 more detail about suicide, people trying to, or people</p> <p style="text-align: center;">Page 21</p>	<p>1 the evidence given in response by many, is, "We had no</p> <p>2 mental health training". The stock answer was, "I'm not</p> <p>3 a psychologist. I don't know how to deal with these</p> <p>4 people". They clearly had no mental health training at</p> <p>5 all. Do you think that would have made a difference, if</p> <p>6 there was a -- if DCOs, when they had part of their</p> <p>7 initial training course, were given assistance in how to</p> <p>8 deal with the nature of the population or some of</p> <p>9 the population they were expected to deal with, or not?</p> <p>10 Or do you think that's just, for the type of people who</p> <p>11 become DCOs, and their expectations of the job that they</p> <p>12 have, do you think that that just wouldn't make</p> <p>13 a difference to culture and, for example, speaking about</p> <p>14 mentally disturbed or ill people as "nutters"?</p> <p>15 A. I mean, I think that's a very difficult question,</p> <p>16 because I think it's clear that the training of DCOs</p> <p>17 is -- it seems to me that it's inadequate and that it's</p> <p>18 inadequate for a series of reasons, one of which is that</p> <p>19 it's fairly minimal and it's pretty much focused on</p> <p>20 security. So, yes, you know, I think having more</p> <p>21 training, more advanced training, better training,</p> <p>22 training on mental health issues, could be -- you know,</p> <p>23 could assist. I think, however -- you know, I think</p> <p>24 it's important to imagine making these reforms, because</p> <p>25 I guess we have to try and figure out how to prevent</p> <p style="text-align: center;">Page 23</p>
<p>1 threatening to, take their own lives and he tells</p> <p>2 Mr Tulley that he doesn't care and that, you know, he</p> <p>3 just wishes they'd get on with it.</p> <p>4 My interpretation of that conversation was that</p> <p>5 Mr Stokes was raising an important issue, which is that</p> <p>6 it is -- I'm sure it is incredibly difficult to work in</p> <p>7 an environment where people are so distressed, but then</p> <p>8 he clearly can't manage it. So he then moves into this</p> <p>9 way of conceiving of them which is dehumanising and</p> <p>10 which I would say creates a kind of emotional barrier</p> <p>11 between him and them, which will then make it very hard</p> <p>12 to actually meaningfully care and try to assist.</p> <p>13 So I chose that example because I think it shows</p> <p>14 how, even when not faced with somebody screaming at</p> <p>15 them, officers were clearly talking about what it felt</p> <p>16 like to one another and sort of talking about it in</p> <p>17 language which I'm sure was an emotional response but</p> <p>18 which effectively dehumanised the detained population.</p> <p>19 Q. The problem you seem to be identifying is one where</p> <p>20 these officers were ill-equipped to really deal with the</p> <p>21 people that they were supposed to be caring for?</p> <p>22 A. Yes, I think they were ill-equipped, but I suppose</p> <p>23 I also think -- I'm not really convinced that you could</p> <p>24 equip somebody adequately to deal with that.</p> <p>25 Q. One of the questions which has been asked of many, and</p> <p style="text-align: center;">Page 22</p>	<p>1 this from happening again, but I do say in the report,</p> <p>2 and I know this is totally outside the terms of</p> <p>3 reference, I think the only way you could really</p> <p>4 completely mitigate this would be to not use a custodial</p> <p>5 environment for managing people's immigration cases,</p> <p>6 and, given that most immigration cases are, in fact,</p> <p>7 handled in the community, I think that that is</p> <p>8 a perfectly reasonable goal to be pursuing. You know,</p> <p>9 then all the other things which are meant to be</p> <p>10 happening and which were meant to be happening at the</p> <p>11 time, in terms of diverting people who are particularly</p> <p>12 vulnerable, that that should also be in place.</p> <p>13 Q. Are you talking about the proper operation of rule 35,</p> <p>14 for example?</p> <p>15 A. Yes, and just the Adults at Risk policy in general.</p> <p>16 Q. While we do have Brook Houses, and coming back to my</p> <p>17 original question, do you think it is an answer at all</p> <p>18 to have better training or do you think that the nature</p> <p>19 of the staff culture that we saw in Brook House -- and</p> <p>20 Brook House is not unique; there have been several</p> <p>21 reports over the years of this kind of behaviour in</p> <p>22 similar institutions -- do you think better mental</p> <p>23 health training would even touch the sides or is it</p> <p>24 a complete waste of time?</p> <p>25 A. No, I think it would be helpful. I mean, I think the</p> <p style="text-align: center;">Page 24</p>

<p>1 other thing that would be good to invest in would be</p> <p>2 some kind of secondary trauma training for DCOs.</p> <p>3 I mean, again, I mention it in, I think, both of</p> <p>4 the reports, that there have been attempts made in the</p> <p>5 Prison Service to do secondary trauma training for</p> <p>6 officers, for prison officers.</p> <p>7 Q. What do you mean by "secondary trauma"?</p> <p>8 A. Secondary trauma is, you know, what happens if you are</p> <p>9 confronted often with other people's trauma. So if you</p> <p>10 are an officer and you're dealing -- if you are</p> <p>11 a detainee custody officer and you are hearing a lot</p> <p>12 from the people in your care about their experiences,</p> <p>13 you know, in their -- if they're asylum seekers, for</p> <p>14 instance, or if they had PTSD or if you are dealing with</p> <p>15 a lot of distress, you are ultimately affected by that</p> <p>16 distress, and what secondary trauma counselling can do</p> <p>17 is, it can try and give officers tools for acknowledging</p> <p>18 that they are feeling distressed themselves because they</p> <p>19 are hearing about other people's distress and give them</p> <p>20 tools for recognising it and for recognising the effects</p> <p>21 of secondary trauma, because the effects of secondary</p> <p>22 trauma are things like dehumanisation, aggression,</p> <p>23 losing control of your own emotions, things like that.</p> <p>24 I think there is scope for doing more with staff, but</p> <p>25 I'm not convinced that that would eradicate the problem.</p> <p style="text-align: center;">Page 25</p>	<p>1 comment?</p> <p>2 A. Yes.</p> <p>3 Q. Having had that overview, can we come back to the</p> <p>4 question which you pose yourself, actually, if you go to</p> <p>5 your page 11, under your heading "Staff culture: what is</p> <p>6 it and what do we know about it?" You say it's</p> <p>7 difficult to define. What is it about staff culture</p> <p>8 that makes it difficult to define and why does it</p> <p>9 matter?</p> <p>10 A. Well, I think it matters because people refer to staff</p> <p>11 culture all the time without necessarily having an</p> <p>12 agreed definition. I think, you know, there's a whole</p> <p>13 lot of academic literature about workplace culture or</p> <p>14 institutional culture or staff culture in a range of</p> <p>15 different places, and it normally centres on a kind of</p> <p>16 group of issues around behaviours, attitudes, values,</p> <p>17 and then, sometimes, also questions around sort of</p> <p>18 material or symbolic representation, so, you know,</p> <p>19 I don't think this was necessarily -- well, maybe it was</p> <p>20 the case at Brook House, you know, how people dress,</p> <p>21 things like that. And the way Stephen Shaw defined it</p> <p>22 in 2018 is this idea that how organisations do things,</p> <p>23 you know, most commonly described as "how we do things</p> <p>24 around here".</p> <p>25 So that's -- you know, all of that is still a bit</p> <p style="text-align: center;">Page 27</p>
<p>1 Q. In the end, how do you teach anyone empathy?</p> <p>2 A. Well, I mean, I think that, again, much as I have</p> <p>3 reservations about constantly comparing IRCs to prisons,</p> <p>4 you know, the Prison Service did a lot to try and</p> <p>5 address some of these issues through their -- through</p> <p>6 the decency agenda, and the decency agenda, as I mention</p> <p>7 in the report, started with a very basic question to</p> <p>8 officers, which was, "Would you feel happy if a family</p> <p>9 member was locked up in this prison?" And I think that</p> <p>10 can go some way towards encouraging empathy, because</p> <p>11 I cannot imagine that somebody working in Brook House in</p> <p>12 the relevant period, if they were asked that question,</p> <p>13 would have answered "yes". So, you know, I think -- and</p> <p>14 the other point to make, I suppose, is that some</p> <p>15 officers do have empathy. You know, we are</p> <p>16 concentrating on particular individuals who didn't, and</p> <p>17 who clearly did things that they really shouldn't have,</p> <p>18 but there are some officers who appear concerned in the</p> <p>19 footage. You know, the examples that I gave before</p> <p>20 about people looking for dictionaries, people being</p> <p>21 worried about the old man who was locked up and worried</p> <p>22 about the young man who was locked up. I mean, it's not</p> <p>23 a totally empathy-free institution.</p> <p>24 Q. Callum Tulley says that, if you recall, himself, that</p> <p>25 they weren't all bad apples, and you think that's a fair</p> <p style="text-align: center;">Page 26</p>	<p>1 fuzzy about what that actually might mean in practice.</p> <p>2 There are two risks about talking about staff culture:</p> <p>3 one is to talk about it in the singular, because</p> <p>4 I imagine that there was probably more than one staff</p> <p>5 culture at the time at Brook House, and we're</p> <p>6 concentrating in the inquiry on a particular version;</p> <p>7 and then the other risk, as I sort of already hinted at,</p> <p>8 is that, if we talk about culture, we mustn't forget</p> <p>9 about structure. And so, you know, I think we always</p> <p>10 have to remember that this institution is, you know, set</p> <p>11 up with a specific purpose, which is to facilitate the</p> <p>12 removal of foreign national people who have exhausted</p> <p>13 their immigration case, and also we need to keep in mind</p> <p>14 all of the sort of work-based things that I mentioned</p> <p>15 before around pay and conditions, and those things don't</p> <p>16 necessarily fit into behaviours and attitudes but they</p> <p>17 shape them.</p> <p>18 Q. I'm not sure Brook House had a mission statement, but</p> <p>19 Steve Skitt told us that G4S had certain values, one of</p> <p>20 which was integrity, and there were about three or four</p> <p>21 and I can't remember the others, but he told us about</p> <p>22 them in evidence. Do they have any value at all?</p> <p>23 A. I think that's quite a political question to ask,</p> <p>24 really. I mean, certainly all institutions set out</p> <p>25 values in mission statements and that's part of new</p> <p style="text-align: center;">Page 28</p>

<p>1 public management and I suspect the Centre for 2 Criminology at Oxford probably has one as well. The 3 challenges would be to try and figure out how you could 4 communicate values and measure them and be sure that 5 people are buying into them. I mean, certainly 6 immigration removal centres, and in this Brook House is 7 no different to everywhere else, you know, you walk into 8 one and, when you go through the staff entrance or the 9 visitors entrance, there are big signs on the wall with 10 the values and the mission statements of the company. 11 I mean, I suppose the events shown in Panorama make 12 it clear that those values were not necessarily being 13 upheld. 14 Q. Which would rather suggest that there was a failure of 15 communication or a failure in understanding what they 16 meant and that they ought to be translated into 17 practice? 18 A. Yes. 19 Q. At your 3.7 onwards on page 13, you talk about a useful 20 starting point for understanding the events of 2017 at 21 Brook House, and for thinking about how to avoid repeat 22 similar occurrences there or elsewhere, one of the 23 problems being that those who work at IRCs often compare 24 themselves to prison officers and the institutions in 25 which they work to prisons, as do some of those who are</p> <p style="text-align: right;">Page 29</p>	<p>1 Certainly at the time, that was the case. 2 So this kind of reliance on the prison as the model 3 for an immigration removal centre I think has really 4 taken people down a pathway which leads towards thinking 5 about these places as punitive places and places for 6 criminals, and there's no real reason for that. 7 Q. In 3.8, you talk about prisons operating softer forms of 8 coercion in an incentives and earned privileges scheme 9 alongside a wider selection of paid work and treatment 10 options. Is it a problem, do you think, for Brook House 11 and other similar immigration removal centres that such 12 schemes are not operated? We know that certain 13 detainees could work for a small amount of money, but 14 they volunteered for it. They couldn't be compelled to 15 do it. Do you think that's an issue? 16 A. So I think that the difficulty is that, if you are going 17 to lock people up for an indeterminate period of time, 18 you then need to make sure they have stuff to do to pass 19 the time, and we know that this particular population is 20 vulnerable and has quite complicated needs, and one of 21 the difficulties about locking them up in an institution 22 that looks like a prison is that the way -- the options 23 for them to pass their time are going to be very 24 limited, and so, you know, paid work will be one of 25 the very few options that they could do, and it will be</p> <p style="text-align: right;">Page 31</p>
<p>1 detained. 2 Tell us about that. What's the fundamental problem 3 there? It may be obvious, but talk us through it? 4 A. In the British system, the Prison Service has -- seems 5 to have provided the model for, in the kind of 6 government policy about how to manage foreign national 7 citizens who have, you know, exhausted their immigration 8 case. That's not inevitable and not all countries base 9 their response to immigration issues on prisons, and in 10 the immigration removal system, you see this kind of 11 connection, you know, first of all, in the architecture 12 of the buildings, but also in the senior staff. So all 13 centre managers, pretty much, centre directors, have 14 worked in the Prison Service, whether that's the public 15 sector or the private sector, and many of the members of 16 the SMT -- the senior management team -- will have as 17 well. 18 I think -- and in this particular instance, you 19 know, a lot of the training was taken directly from the 20 Prison Service itself. I think the problem is that 21 these are not prisons, these are not places which are 22 designed with the purpose of either rehabilitation or 23 punishment or deterrence. They are not places where 24 people are serving a sentence. Most people -- you know, 25 most people are, in fact, not even ex-offenders.</p> <p style="text-align: right;">Page 30</p>	<p>1 the kind of paid work that people do in prison, so it 2 will be cleaning and -- I mean, what else do they do? 3 Painting. Just sort of housekeeping duties around the 4 institution. 5 Clearly, you know, there are ethical and, I think, 6 also legal questions around coercing people to do that 7 if they're there just by virtue of their immigration 8 status. There are also, I would suggest, similar 9 ethical and legal questions about getting people to work 10 in prisons. But, you know, they do need to -- people do 11 need to have something to do because one of the real 12 sort of problems in a detention centre is that nobody 13 knows how long they will be there for, and it's very 14 debilitating to just not have any way of passing your 15 time and anything to do. 16 Q. One of the things we heard is, albeit it was designed to 17 be a short-term holding facility, and at the same time 18 built to a category B prison specification, because of 19 the short-term policy or, at least, that was the 20 underlying idea behind it, although it hasn't worked out 21 that way, outside spaces were not built. Does that make 22 a difference, given what you are telling us; in other 23 words, there's not sufficient outside space for 24 activity, fresh air? 25 A. Yes. I mean, I think it's very strange that Brook House</p> <p style="text-align: right;">Page 32</p>

<p>1 was supposedly built just to hold people for 72 hours, 2 because I don't really understand why you'd build 3 a category B prison to hold somebody for 72 hours. It's 4 very expensive. And there were other category B 5 establishments at the time, which I think -- I think 6 Colnbrook was always a category B establishment and it 7 was not designed to hold people for 72 hours. I know 8 it's on record saying it was built for that purpose, 9 with that idea, but it seems a strange expenditure of 10 public funds.</p> <p>11 You know, the category B design, yes, comes with 12 a couple of concrete yards, and there's -- you know, 13 there's not enough space. Brook House is right next to 14 the runway at Gatwick, so it's extremely noisy, you hear 15 the planes landing and taking off all the time. It's 16 a very, very harsh environment to be in.</p> <p>17 Q. Let's move on, please, to your 3.11, where you talk 18 about the barriers which detained men face in an IRC 19 like Brook House. What are the barriers you have in 20 mind?</p> <p>21 A. So here I'm talking about -- in the academic literature 22 on prisons, there has been a lot of work done about -- 23 there has been more work done about the role of prison 24 officers and how important they are to not just the kind 25 of good order and discipline of a prison, but also to</p> <p style="text-align: center;">Page 33</p>	<p>1 make it very hard to actually have a human sort of 2 relationship with somebody else.</p> <p>3 Q. You talk in 3.12 about finding that, in their day-to-day 4 work, officers end up relying on other proxies, 5 including race and national stereotypes. What are you 6 saying there?</p> <p>7 A. So here I'm talking about how -- I mean, I suppose I'm 8 basically talking about racism, but it's -- I think -- 9 I mean, I've certainly seen this in my research and it 10 was evident in the material that I read and watched for 11 the inquiry that, you know, in a circumstance where the 12 officers find it very hard to actually have a meaningful 13 interaction with people, then what they often rely on 14 are just views that they would already have about the 15 national group, and so you sort of see this in, you 16 know, generalised comments about particular 17 nationalities, which I think -- so -- and I think that's 18 the predominant form that racism takes in IRCs. It's 19 not that often -- at least, in my experience, it hasn't 20 been that often that people will necessarily use 21 a racial epithet in a discussion with a detained person 22 because, you know, most people know that that's, you 23 know, not on.</p> <p>24 But what they will do is they will kind of 25 generalise about all -- you know, "All Albanians are</p> <p style="text-align: center;">Page 35</p>
<p>1 the sort of decent running of an establishment. There, 2 the sort of received wisdom is that it's very important 3 for officers to be able to build meaningful 4 relationships with prisoners and they kind of set out 5 various ways they can do that. So the prison officer is 6 seen to be somebody who can play an important role in an 7 incarcerated person's experience of the prison.</p> <p>8 I am just pointing out here that a lot of those sort 9 of goals are really almost impossible to achieve in 10 a detention centre because of the lack of clarity about 11 the duration of somebody's time in a detention centre. 12 So, you know, it is not uncommon that somebody might do 13 their shift one week and have spent quite a lot of time 14 trying to help an individual and then they go back and 15 the man has, you know, been released, moved or deported, 16 and so there was no warning and they didn't know that 17 would happen and that just would cut any attempt to sort 18 of invest in building a relationship with somebody.</p> <p>19 Then there's the effect of the very high levels of 20 anxiety and distress and mental health problems. And 21 then there's the sort of practical things around 22 language. I mean, you know, it is the case that a lot 23 of people in detention don't speak very good English 24 because they're -- you know, why would they? And 25 officers don't speak much other than English. So those</p> <p style="text-align: center;">Page 34</p>	<p>1 like this, all Jamaicans are like that". That view is 2 racist, but, also, that view makes it very hard for them 3 to actually deal with the person in front of them as an 4 individual.</p> <p>5 I think that that is an inevitable part of an 6 immigration removal centre. So you can and, you know, 7 we should hold individuals to account, but if we have an 8 institution that is designed to hold foreign nationals 9 for the purpose of removing them, what we are doing as 10 a society is, we are saying, "These nationalities are 11 people we don't want", and, you know, you put them in 12 a prison, a place that looks like a prison, you're 13 saying, "These nationalities are dangerous. These 14 nationalities are criminal". So I think that officers, 15 you know, are, in a way, just responding to the prompts 16 that the institution is giving them, and then they use 17 that to -- they kind of rely on that to try and make 18 sense of their job and also to manage the people in 19 their care.</p> <p>20 Q. You say, at your 3.13, that such matters were evident at 21 Brook House in 2017, and you quote from the initial 22 training course manuals, "Be friendly, but not friends, 23 check things out, keep your emotions under control". 24 And you say, "In response" -- at the top of your 25 page 15:</p> <p style="text-align: center;">Page 36</p>

<p>1 "In response, staff deployed concepts more commonly 2 associated with counter-terrorism, such as 3 'conditioning', in discussions of their interactions 4 with those who are detained." 5 So is this part of "prisonisation" of the place? 6 A. Yes. Yes, it is, although I think in a prison with -- 7 I think there are formal roles in prisons which 8 encourage more of a human interaction with -- between 9 officers and prisoners. So prisons, for instance, have, 10 you know, designated officers who are supposed to build 11 a relationship with somebody who is incarcerated and 12 help them through their sentence plan and talk to them 13 about what they want to do when they are released, and 14 so there is a kind of formal role, which used to be 15 called a personal officer, I think it is now called 16 something different. That role doesn't really exist in 17 an immigration removal centre. I think, occasionally, 18 and, I think, even in Brook House, they try and bring in 19 a role a bit like that, but it is fundamentally 20 difficult to do if what the purpose of your institution 21 is is to just get somebody to leave the country. 22 I think the use of counter-terrorism language around 23 "conditioning" or even, you know, the terminology of 24 "security incident reports", I think that is also 25 present in prisons. I think that -- I think, in</p> <p style="text-align: right;">Page 37</p>	<p>1 Again, themes which you have already touched on. 2 The questions arising out of that I'm asked to ask 3 you are: how, and in what ways, do you consider the 4 indefinite nature of detention impacted on the staff 5 culture and their attitudes to detainees? 6 So that's the first question. 7 A. So certainly the indefinite -- the lack of clarity about 8 the duration of detention has been shown by, you know, 9 a lot of evidence to be a defining characteristic of 10 these places and to contribute to a lot of 11 the difficulties for the detained population. It is 12 very closely connected to the detained population's 13 anxiety and distress and mental health problems. 14 I think the way in which it affects staff is 15 actually -- I think it affects staff because it makes 16 their role a little bit unclear. So -- because if you 17 don't really know how long somebody is there for -- 18 I mean, I have said some of this already. If you don't 19 know how long somebody is there for, it is hard to 20 motivate yourself to sort of invest in them as a person, 21 because they might be gone tomorrow, so, you know, why 22 bother? It also, I think, raises questions about the 23 purpose of your job. So if you -- you know, if you are 24 only going to have somebody with you for a week, then is 25 your job actually more than just kind of giving them</p> <p style="text-align: right;">Page 39</p>
<p>1 a removal centre, that sort of language does quite a lot 2 of damage because it elides populations that are 3 actually really distinct but which are easy to push 4 together because of, you know, nationality, actually, 5 and also sometimes because of racism. 6 So one of the quotes that I refer to in the report 7 is around, you know, they were talking about a guy from 8 Iraq who was on E wing and then they referred to him as 9 a terrorist, like in some film. So I think there's 10 a way in which it becomes very easy to move from 11 national stereotypes to sort of fears around terrorism, 12 which then, of course, just distance the population. 13 Q. I am asked to ask you some questions on behalf of the 14 detained persons core participants. The question is, is 15 its open-ended nature and the lack of effective 16 safeguards relevant? I think you have probably answered 17 that already, but they point to the fact that it's 18 executive detention with no statutory criteria and no 19 time limit, in contrast with detention, for example, by 20 police or remand in custody or pursuant to conviction 21 and sentence, and, secondly, it is designed for the 22 purpose of facilitating removal of foreign nationals as 23 a measure of last resort when facing imminent removal, 24 but, in practice, it's for prolonged periods and is 25 experienced by detained persons and staff as indefinite.</p> <p style="text-align: right;">Page 38</p>	<p>1 breakfast and lunch? If you knew that they were going 2 to be there for three months, you might sort of work 3 with them around having paid work or making contact with 4 their children, or whatever. So I think it draws into 5 question what the staff's role is, and I think those 6 questions about what the staff's actual role is, I think 7 that does affect staff culture, because I think, you 8 know, it's always important for all of us who have jobs 9 to tell us -- we all tell ourselves a story about what 10 our role is, and that helps us make sense of our job, it 11 also helps us make sense of ourselves and it helps us do 12 our job, and I think that, for officers, the lack of 13 clarity about the duration that anybody is going to be 14 in their care makes it pretty easy for them to not care 15 because they just don't know how long they're going to 16 be there for. 17 Q. You say in your 3.12, when asked about their 18 relationships with those who are detained, staff worry 19 about the appropriate line between sympathy and empathy, 20 how close should they get, and you say the confusion is 21 amplified by the secure environment in which they are 22 taught to think of the detained population as potential 23 threats. 24 The question arising from that is: what does that 25 mean for the clarity of purpose and expectations of</p> <p style="text-align: right;">Page 40</p>

<p>1 staff? In other words, how do you avoid that conclusion</p> <p>2 which you have identified?</p> <p>3 A. So I think it's -- well, I think it's difficult.</p> <p>4 I mean, I suppose that the response would be that there</p> <p>5 are staff who manage to care and there are -- I mean,</p> <p>6 you know, in my years of doing research, I have come</p> <p>7 across officers who go the extra mile and who do, you</p> <p>8 know, try and assist people who are detained, and</p> <p>9 I think, you know, some of the people who have given</p> <p>10 evidence to the inquiry from the welfare section,</p> <p>11 Mr Owen Syred, for instance, I mean, he seemed to refer</p> <p>12 to his work as a job which he could actually recognise</p> <p>13 its importance and that his job was partly to care about</p> <p>14 the detained population.</p> <p>15 So I think that there are examples of this being</p> <p>16 possible, and so, then, the question would be, can you</p> <p>17 somehow extend from those people to include, you know,</p> <p>18 a wider group of the staff? And I think that would have</p> <p>19 to happen by, you know, a much more detailed discussion</p> <p>20 about what the role involves.</p> <p>21 Q. Let's move on. Going back, but we don't really have to,</p> <p>22 paragraphs 2.18 and 2.19. You talk about</p> <p>23 desensitisation. In a sentence or two, what does that</p> <p>24 mean? Your page 9. In paragraph 2.18 and 2.19 you talk</p> <p>25 about -- coming back to Aaron Stokes, do you remember</p> <p style="text-align: center;">Page 41</p>	<p>1 is, it ends up leading them towards not really</p> <p>2 appreciating the difficulties that the detained</p> <p>3 population are actually facing, and seeing that when</p> <p>4 people are angry or distressed or frustrated, they see</p> <p>5 that as just them being difficult rather than them</p> <p>6 actually being people in need and in crisis.</p> <p>7 I think the point partly is that, especially when</p> <p>8 you see the footage at the time, when there was all of</p> <p>9 this, you know, drug use, not enough staff, you know, an</p> <p>10 institution that had extra beds, all the rest of it,</p> <p>11 I think it's probably a bit hard to imagine how officers</p> <p>12 wouldn't have had to have distanced themselves a bit.</p> <p>13 Like, I think the emotional toll of working in this</p> <p>14 environment is quite high and particularly, you know,</p> <p>15 with these long shifts and all the rest of it. So</p> <p>16 desensitisation is, in a way, an inevitable consequence</p> <p>17 of the nature of the institution.</p> <p>18 Q. We have examples of some of the officers themselves when</p> <p>19 they have given evidence to the inquiry talking about</p> <p>20 desensitisation. Yan Paschali, for example, who gave</p> <p>21 evidence on 24 February, said that staff were exposed to</p> <p>22 many difficult situations over and over, and when you</p> <p>23 become desensitised, silly comments are made. So that</p> <p>24 was his take on it. Nathan Ring said the use of</p> <p>25 language which was attributed to him is a coping</p> <p style="text-align: center;">Page 43</p>
<p>1 the example, the third of the three instructive clips</p> <p>2 and what he was saying about how he was not coping,</p> <p>3 really, with the people he was supposed to be caring</p> <p>4 for?</p> <p>5 A. Yes.</p> <p>6 Q. You say, "suggest that he has become desensitised to</p> <p>7 their distress". Then, at 2.19, in your conclusion and</p> <p>8 preliminary recommendations, the first paragraph of</p> <p>9 which, you say:</p> <p>10 "... we catch a glimpse of the impact of detention</p> <p>11 not only on those who are detained but also on those who</p> <p>12 work within Brook House. While not all of those who</p> <p>13 were detained at the time were as distressed as the men</p> <p>14 in the clips mentioned above, nor were all of</p> <p>15 the officers as cynical or desensitised as the man in</p> <p>16 the visits hall ..."</p> <p>17 That's Aaron Stokes. Tell us about desensitisation?</p> <p>18 A. So I think that the evidence seems to suggest that one</p> <p>19 of the main ways in which officers -- I think I would</p> <p>20 say cope with their job, but maybe that's being a bit</p> <p>21 too generous. But I think the main way in which</p> <p>22 officers respond to the challenges of their job is to</p> <p>23 create an emotional barrier, an emotional distance,</p> <p>24 between themselves and the detained population, and</p> <p>25 I think that this ends up leading them -- or the danger</p> <p style="text-align: center;">Page 42</p>	<p>1 mechanism, and he said if you were not desensitised,</p> <p>2 when he gave evidence on 25 February, it would affect</p> <p>3 your mental health -- in other words, his. Dan Small</p> <p>4 gave evidence on 28 February. He said experienced</p> <p>5 officers told him that self-harm was widely interpreted</p> <p>6 as an attempt to stop deportation rather than being</p> <p>7 a symptom of poor mental health, and he, as he put it,</p> <p>8 cottoned onto it, and he agreed, a little later, when he</p> <p>9 gave evidence, that maybe he was just desensitised to</p> <p>10 the situation.</p> <p>11 Then Dr Dominic Aitken, who gave evidence in the</p> <p>12 first phase of this inquiry, on 8 December, said:</p> <p>13 "Many members of staff ..."</p> <p>14 You will remember he interviewed a number of people</p> <p>15 when he was in the establishment:</p> <p>16 "Many members of staff have said that they became</p> <p>17 desensitised to seeing someone who has injured</p> <p>18 themselves. It shocked them the first time they saw it</p> <p>19 and particularly severe cases would get to them."</p> <p>20 So those are just a few examples that have been</p> <p>21 plucked from the evidence. What do you think it is</p> <p>22 about the IRC environment specifically that lends itself</p> <p>23 to this desensitisation? I mean, it is maybe called</p> <p>24 a culture of desensitisation or a factor, but it doesn't</p> <p>25 really matter how you characterise it, but what do you</p> <p style="text-align: center;">Page 44</p>

<p>1 think it is about the IRC establishment that lends</p> <p>2 itself to it?</p> <p>3 A. Well, I mean, I think when the population is as</p> <p>4 distressed and vulnerable as it seems to have been the</p> <p>5 case at the time, I think that the difficulty for the</p> <p>6 custody officers is that they don't have the answer to</p> <p>7 the problems of the population. So the problems -- the</p> <p>8 real problems for the people who are detained rest in</p> <p>9 the hands of the immigration officers. You know, it is</p> <p>10 about their immigration case. And the custody officers</p> <p>11 can't do anything about that. That's not in their gift.</p> <p>12 So they are faced with people who -- you know,</p> <p>13 nobody wants to be in detention. While some of</p> <p>14 the people who are in detention may be okay with going</p> <p>15 back to their country of nationality, most people are</p> <p>16 not.</p> <p>17 Many of the people who are detained will have -- you</p> <p>18 know, we see that from the evidence -- from the academic</p> <p>19 evidence that people's mental health declines over time.</p> <p>20 So they are -- you know, they're a complex population</p> <p>21 who have a lot of difficult needs which the officers</p> <p>22 have almost no tools to actually meet. And so I think,</p> <p>23 on that level, separating yourself emotionally from that</p> <p>24 is, presumably, the very easiest way to manage it. You</p> <p>25 know, if you went in to work every single day and were</p> <p style="text-align: right;">Page 45</p>	<p>1 are more likely to be physically aggressive and to --</p> <p>2 you know, to be unsympathetic towards the people in</p> <p>3 their care.</p> <p>4 I think the difference for prisons is that there</p> <p>5 is -- you know, there are much clearer purposes of</p> <p>6 the prison and they are not just instrumental purposes,</p> <p>7 they're actually -- there's a kind of moral narrative</p> <p>8 around them. So, you know, the prison is both a place</p> <p>9 that you put somebody because they have committed</p> <p>10 a crime, but it is also meant to prevent them from --</p> <p>11 you know, you're meant to work with them while they are</p> <p>12 there so that they don't do it again. Whether that</p> <p>13 happens is a totally separate question.</p> <p>14 There is no such moral narrative about immigration</p> <p>15 removal centres. The only moral narrative about</p> <p>16 immigration removal centres is either the kind of</p> <p>17 security one, which is that these are potentially</p> <p>18 dangerous foreigners who we need to get rid of, or it's</p> <p>19 a kind of -- I mean, I think it is perhaps, you know,</p> <p>20 a moral narrative, you know, that they don't deserve to</p> <p>21 be here, that they didn't do all the right things and,</p> <p>22 therefore, we owe them nothing. So the stories -- the</p> <p>23 only stories you can really tell about an immigration</p> <p>24 removal centre and its purpose are actually -- don't</p> <p>25 have much of a role there for staff to do anything</p> <p style="text-align: right;">Page 47</p>
<p>1 confronted with people who were making demands that you</p> <p>2 couldn't resolve, if you cared about each and every one</p> <p>3 of them, you would -- you know, you would feel very,</p> <p>4 very distressed. And so I think that it's that -- it's</p> <p>5 a sort of bid -- you know, not necessarily conscious,</p> <p>6 but it is a bid to not kind of feel these feelings of</p> <p>7 other people. It is also, I think, amplified by the</p> <p>8 security talk around people who are detained and around</p> <p>9 the buildings, and it is obviously also shaped by kind</p> <p>10 of racial stereotypes. So, you know, it is a lot easier</p> <p>11 to be desensitised towards people who you kind of think</p> <p>12 are not like you and you don't value.</p> <p>13 Q. Is it the same in the prison context? If not, why not?</p> <p>14 A. Well, I think -- I mean, I think there are similarities</p> <p>15 in the prison context. And, you know, I haven't done</p> <p>16 research in the prison context for a long time. It was</p> <p>17 where I began my research. But, you know, the</p> <p>18 literature on staff culture in prisons generally divides</p> <p>19 up officers into different kinds of types, so they kind</p> <p>20 of construct typologies, and one of the types is</p> <p>21 normally referred to as a traditional prison officer,</p> <p>22 and traditional prison officers are a kind of --</p> <p>23 probably analogous to some of the men who have given</p> <p>24 evidence here, people like Derek Murphy and</p> <p>25 Yan Paschali. You know, they are authoritarian, they</p> <p style="text-align: right;">Page 46</p>	<p>1 meaningful with the detainees while they are in their</p> <p>2 care.</p> <p>3 Q. Does the fact that many of the detained population</p> <p>4 suffer mental illness or vulnerability increase the risk</p> <p>5 of desensitisation and abuse?</p> <p>6 A. Well, it -- I mean, it seems to have, in the relevant</p> <p>7 period. I think that seems like it would, because they</p> <p>8 are people with a lot of complex needs, and, again,</p> <p>9 they're needs that the officers can't necessarily</p> <p>10 respond to. I mean, the officers could respond to them</p> <p>11 in terms of, you know, having conversations and</p> <p>12 directing them to the medical care that's available and</p> <p>13 trying to sort of be with them as people, but, you know,</p> <p>14 the rate of officers relative to the number of people in</p> <p>15 a detention centre at any one time basically means that</p> <p>16 they don't really have that much time to actually have</p> <p>17 conversations with people.</p> <p>18 Q. What about healthcare staff? Are they subject to</p> <p>19 desensitisation in the same way as the custodial staff?</p> <p>20 Did you see evidence of it?</p> <p>21 A. I think that the evidence was a bit mixed about the</p> <p>22 healthcare staff. So certainly in the footage, there</p> <p>23 were -- I mean, there absolutely were instances, quite</p> <p>24 often, of when healthcare staff responded, particularly</p> <p>25 to drug crises, where they absolutely did seem to be not</p> <p style="text-align: right;">Page 48</p>

<p>1 just being professional but also being caring and that</p> <p>2 they would speak respectfully to the person who had</p> <p>3 taken drugs and who was -- you know, who was having some</p> <p>4 kind of -- it looked to me like a seizure. But then,</p> <p>5 you know, we know that there were also healthcare staff</p> <p>6 involved in some of the restraints.</p> <p>7 So I think healthcare staff -- it is obviously going</p> <p>8 to be part of their training and it's also part of,</p> <p>9 I guess, the logic of the job. You know, you go into</p> <p>10 healthcare because you want to help unwell people, and</p> <p>11 that's presumably part of your motivation about your</p> <p>12 job, and that's not really clear that that would be part</p> <p>13 of why you become a DCO.</p> <p>14 Q. At 3.15 of your report, your first report, on page 15,</p> <p>15 you say:</p> <p>16 "In my opinion, the evidence demonstrates that in</p> <p>17 2017 Brook House was a low-trust environment in which</p> <p>18 staff did not always treat detainees with dignity. They</p> <p>19 also did not always treat one another with respect."</p> <p>20 If we fast forward, as it were, to 11.5 on page 52,</p> <p>21 so the very last paragraph of your first report:</p> <p>22 "To ensure that the events of 2017 do not recur,</p> <p>23 greater attention needs to be paid to the balance</p> <p>24 between care and security; to eradicating racist and</p> <p>25 sexist beliefs and language; and to develop a shared</p> <p style="text-align: center;">Page 49</p>	<p>1 obviously leads itself to dehumanisation. It obviously</p> <p>2 makes it more likely that you will not only not</p> <p>3 acknowledge their feelings or your feelings, but you</p> <p>4 actively then won't care about them. So then, you know,</p> <p>5 I think, for instance, the second example that I gave</p> <p>6 about the man who was screaming about, you know, what</p> <p>7 had happened to his immigration case and the fact that</p> <p>8 nobody spoke and nobody went to get anybody to resolve</p> <p>9 that question, I think that's a kind of example of what</p> <p>10 that looked like.</p> <p>11 Q. Is dehumanisation, do you think, used as a way of staff</p> <p>12 avoiding responsibility for the consequences of their</p> <p>13 actions? If you're desensitised and, therefore, you</p> <p>14 behave in a dehumanising way, is that all part and</p> <p>15 parcel of when somebody misbehaves, a way of avoiding</p> <p>16 responsibility?</p> <p>17 A. Avoiding responsibility. I mean, I think it -- I think</p> <p>18 it just makes it hard for staff to recognise what</p> <p>19 they're doing, and I think -- and the effect of what</p> <p>20 they're doing. I think it -- and then, yeah, then it</p> <p>21 definitely, I suppose, becomes part of their narrative</p> <p>22 about why they did what they did. You know, "I acted in</p> <p>23 that way because I was desensitised, not because I'm</p> <p>24 a terrible person". So it can be used, I suppose, as</p> <p>25 a way of explaining to themselves things that perhaps</p> <p style="text-align: center;">Page 51</p>
<p>1 culture with the detained population that emphasises the</p> <p>2 decency and dignity of all."</p> <p>3 In your second report, if you wouldn't mind flicking</p> <p>4 over to that, at 1.3, on the second page, you say:</p> <p>5 "The new material I have been provided reaffirms the</p> <p>6 preliminary conclusions I made in my first report ...</p> <p>7 that Brook House in 2017 was an institution that,</p> <p>8 notwithstanding efforts from individual staff members,</p> <p>9 was a low-trust, high-pressure environment, that was</p> <p>10 neither sufficiently safe nor sufficiently caring. And</p> <p>11 that, as a result, the detained men were not always</p> <p>12 treated in an appropriate manner that recognised their</p> <p>13 inherent worth and dignity as human beings."</p> <p>14 What do you think the link is, having reminded us of</p> <p>15 what you say there, between staff desensitisation and</p> <p>16 the dehumanisation or "othering" of the detained</p> <p>17 population? In other words, the treatment by staff of</p> <p>18 detainees as worthless or just objects or less than</p> <p>19 human?</p> <p>20 A. Well, I think if you are desensitised, so you are not</p> <p>21 appreciating the emotional distress that somebody is</p> <p>22 enduring and you're kind of taking yourself, in a way,</p> <p>23 out of that emotional relationship with them because you</p> <p>24 don't want to feel that feeling and you have kind of</p> <p>25 switched it off somehow, I think that that then</p> <p style="text-align: center;">Page 50</p>	<p>1 they would otherwise be troubled by.</p> <p>2 I mean, I think what's interesting and, again, is</p> <p>3 probably worth acknowledging, is that all staff, even</p> <p>4 those presumably who have been caught on film, and in</p> <p>5 this instance doing terrible things, all staff sometimes</p> <p>6 don't do terrible things and so sometimes are -- you</p> <p>7 know, do recognise the person before them as being very</p> <p>8 distressed. So I don't think it is an all or nothing</p> <p>9 thing. I don't think people become desensitised,</p> <p>10 therefore, dehumanise and never, ever try and help</p> <p>11 somebody. I think that is, again, one of the -- one of</p> <p>12 the issues about this inquiry is, because so much of it</p> <p>13 rests on this undercover footage which was being taken</p> <p>14 for an important reason, we don't see very much of</p> <p>15 the other sort of everyday stuff.</p> <p>16 Q. Can we put up on screen, Zaynab, please, <BHM000045> at</p> <p>17 page 24. Chair, it is supplementary bundle tab 6. It</p> <p>18 is a statement of -- sorry, my fault, can we just go</p> <p>19 back to page 2. It is the statement of</p> <p>20 Dr Brodie Paterson who tells us that he is an</p> <p>21 experienced practitioner, academic and researcher,</p> <p>22 a Registered Mental Health and Learning Disability</p> <p>23 Nurse, a Fellow of the European Academic Nurses'</p> <p>24 Association and an Honorary Fellow Ad Eundem of</p> <p>25 the Faculty of Nursing and Midwifery of the Royal</p> <p style="text-align: center;">Page 52</p>

<p>1 College of Surgeons of Ireland, and he holds degrees and</p> <p>2 higher degrees in psychology, education, social policy</p> <p>3 and published a number of papers, and he sets out</p> <p>4 further factors in his CV, as it were.</p> <p>5 Now can we go to page 24, paragraph 106, where he</p> <p>6 deals in this statement of his with the concept of</p> <p>7 dehumanisation, which he says:</p> <p>8 "...is more likely to happen more where the victim</p> <p>9 is already a member of a marginalised or stigmatised</p> <p>10 group or where action is justified on the basis of</p> <p>11 the transgressions of that individual or group. As</p> <p>12 Arendt ... observed, labelling in some circumstances</p> <p>13 creates 'moral distance'. This serves to render those</p> <p>14 affected by the label less than human and thus</p> <p>15 undeserving of the natural human pity that might</p> <p>16 otherwise serve to prevent abuse. Unfortunately, there</p> <p>17 is little doubt that a series of narratives have served</p> <p>18 over time to distance or other asylum seekers from</p> <p>19 'us' ... Of particular significance to the context of an</p> <p>20 IRC such as Brook House is a theme in the narrative</p> <p>21 distinguishing between 'genuine' asylum seekers, ie,</p> <p>22 those seeking refuge, and bogus asylum seekers framed as</p> <p>23 only entering the country for economic benefits and</p> <p>24 deserving of sanction and punishment ... This narrative</p> <p>25 has gained prominence as a result of UK Government</p> <p style="text-align: center;">Page 53</p>	<p>1 have our 15-minute break and return at about 11.40 am?</p> <p>2 THE CHAIR: Thank you very much.</p> <p>3 (11.27 am)</p> <p>4 (A short break)</p> <p>5 (11.44 am)</p> <p>6 MR ALTMAN: Professor, can you turn to your 4.11, please, on</p> <p>7 page 17 of your first report. I'm asking you this on</p> <p>8 behalf of G4S. At 4.11, you note that officers on</p> <p>9 housing units could find their work boring and lacking</p> <p>10 in variety. Then, if you turn over two pages to 4.19,</p> <p>11 you say:</p> <p>12 "Placing the same officers on the housing units</p> <p>13 every day may help generate familiarity with those who</p> <p>14 are detained. This strategy also, in principle, allows</p> <p>15 staff to develop expertise and to take ownership of</p> <p>16 aspects of their job. However, on its own, consistency</p> <p>17 of staffing does not develop trust."</p> <p>18 The question is, on balance, do you consider that</p> <p>19 some officers should work solely or primarily on housing</p> <p>20 units?</p> <p>21 A. So I think I do think that. I think that in any</p> <p>22 detention centre there is a sort of balance that the</p> <p>23 management strikes between moving people around to help</p> <p>24 them learn new skills, to sort of probably try and</p> <p>25 prevent, you know, cliques and subcultures from arising,</p> <p style="text-align: center;">Page 55</p>
<p>1 policy since 2012, which has sought to create a 'hostile</p> <p>2 environment'. The aim being to create a life 'so</p> <p>3 unbearable for undocumented migrants that they would</p> <p>4 voluntarily choose to leave' as their access to public</p> <p>5 services becomes increasingly restricted ..."</p> <p>6 And on it goes. Do you agree with his view that</p> <p>7 there is a higher risk of a culture of dehumanisation</p> <p>8 developing where the victim is a member of</p> <p>9 a marginalised or stigmatised group; in other words,</p> <p>10 foreign nationals facing removal?</p> <p>11 A. Yes.</p> <p>12 Q. How does the concept of dehumanisation contribute, do</p> <p>13 you think, to the risk of mistreatment and abuse of</p> <p>14 detainees?</p> <p>15 A. Well, I think it just -- it contributes to the risk of</p> <p>16 abuse because it simply means that people are not</p> <p>17 recognising other people as being like them. So, you</p> <p>18 know, in the way you wouldn't -- you wouldn't yell at</p> <p>19 a stranger because you wouldn't want the stranger to</p> <p>20 yell at you, that doesn't seem to be the case always in</p> <p>21 the footage. So people seem to perhaps lose the sense</p> <p>22 that the people in their care were like them in a kind</p> <p>23 of fundamental way, based on their shared humanity.</p> <p>24 MR ALTMAN: Thank you very much, Professor Bosworth. Chair,</p> <p>25 it is almost, but not quite, 11.30 am. Can I suggest we</p> <p style="text-align: center;">Page 54</p>	<p>1 and they have to balance that with consistency. One of</p> <p>2 the biggest challenges for staff is that there are very</p> <p>3 few officers to quite large numbers of people who are</p> <p>4 detained, and the detention population changes</p> <p>5 frequently because some people leave very quickly and</p> <p>6 other people stay for much longer. So I think having</p> <p>7 some consistency in the housing units probably is</p> <p>8 important, but I think it's also then a question about</p> <p>9 what you get the officers to do on the housing units,</p> <p>10 and one of the enduring aspects about Brook House --</p> <p>11 and, forgive me, this is a longer answer than I think</p> <p>12 you're looking for, but anyway. One of the enduring</p> <p>13 aspects about Brook House is that the housing units --</p> <p>14 they have an office on the ground floor in the housing</p> <p>15 units which is where the officers tend to sit. Until</p> <p>16 very recently, they didn't just sit inside an office</p> <p>17 with the door closed, but they actually sat, as you see</p> <p>18 in the footage, inside the office with the door closed</p> <p>19 behind a very tall counter.</p> <p>20 When I went on the visit recently, Serco has</p> <p>21 actually removed that counter and has got rid of that</p> <p>22 barrier, which I think is very, very good. But even so,</p> <p>23 I think, you know, if you don't have very many members</p> <p>24 of staff, you have a very noisy and not particularly</p> <p>25 pleasant work environment, it is natural that people are</p> <p style="text-align: center;">Page 56</p>

<p>1 going to want to sit in their office, and then that, in</p> <p>2 a way, destroys any kind of attempt that you might be</p> <p>3 hoping that they would make towards building</p> <p>4 relationships with the people on the housing unit.</p> <p>5 So I think, you know, it is important to have</p> <p>6 consistency, but then the companies need to really be</p> <p>7 a lot clearer about what they think the staff should be</p> <p>8 doing on the housing units. And because security is so</p> <p>9 much a part of the role, what they mainly do on housing</p> <p>10 units is they mainly do kind of room checks, what they</p> <p>11 call "fabric checks", or they -- you know, they signpost</p> <p>12 the detained population to other services, they --</p> <p>13 depending on the arrangement of the place, they maybe</p> <p>14 have to lock and unlock to door to let them in and out</p> <p>15 of wing. But there's not really a kind of role for them</p> <p>16 that's made explicit about building relationships, and</p> <p>17 I think that appeared in the footage, that, you know,</p> <p>18 a lot of it is just quite mundane work, checking names</p> <p>19 off lists to make sure everybody is getting their lunch.</p> <p>20 Stuff like that. I'm sure the companies have put a lot</p> <p>21 of thought into this already, but I think trying to</p> <p>22 develop what the housing unit officer role is could</p> <p>23 perhaps be helpful, and -- because, at the moment, it</p> <p>24 often seems to be the case that the activities staff,</p> <p>25 which is what Callum Tulley was, they have a job to kind</p> <p style="text-align: center;">Page 57</p>	<p>1 mentioned earlier, the welfare officer, had to say about</p> <p>2 this kind of issue. If we can put up, please, on screen</p> <p>3 <VER000252>, and this is Owen Syred's interview with</p> <p>4 Verita in April 2018 at page 15. Chair, it is tab 25,</p> <p>5 if you want a hard copy. At entry 234, he's asked the</p> <p>6 question:</p> <p>7 "Question: Do you think there are still, within</p> <p>8 this centre, a few officers, perhaps a few managers as</p> <p>9 well, who are a bit macho and cliquy? We know some of</p> <p>10 those people who left under Panorama. Do you think</p> <p>11 there are still some?</p> <p>12 "Answer: At the moment I don't think there are.</p> <p>13 I go down to E wing quite a bit and I went there this</p> <p>14 morning and the guys around there I've worked with</p> <p>15 a long time. I know them, I know their character and</p> <p>16 I know they've all got good hearts. The guys who worked</p> <p>17 down there before I didn't go down there that much.</p> <p>18 "Question: E wing?</p> <p>19 "Answer: Yes. Most of those guys apart from one,</p> <p>20 Charlie, I knew well -- he was always very good with</p> <p>21 detainees."</p> <p>22 Pausing there, that's Charlie Francis, who there is</p> <p>23 evidence did speak to detainees in a particular way</p> <p>24 which Dominic Aitken extracted from him when he</p> <p>25 interviewed him when Dr Aitken was doing his research.</p> <p style="text-align: center;">Page 59</p>
<p>1 of, you know, entertain and work with the detained</p> <p>2 population in leisure. The welfare staff's job is to</p> <p>3 help people. You know, people in the library's job is</p> <p>4 to help them with documents and books and things.</p> <p>5 But -- and healthcare staff obviously help with</p> <p>6 healthcare issues. The housing unit people are not</p> <p>7 really sure what their additional work is, other than</p> <p>8 kind of maintaining the good order and discipline and</p> <p>9 cleanliness of the housing unit.</p> <p>10 Q. You mention cliques and you deal with that at 4.29.</p> <p>11 Let's move on to that. You say:</p> <p>12 "Interviews with Verita in 2018 suggest that during</p> <p>13 2017, a small group of DCMs had encouraged a particular</p> <p>14 culture of machismo in Brook House, which had encouraged</p> <p>15 at least some of the unprofessional behaviour evident in</p> <p>16 the Panorama expose. It is hard to judge from the</p> <p>17 material submitted how widespread their views were at</p> <p>18 the time, since it is not possible to know what</p> <p>19 proportion of the officers appeared on film.</p> <p>20 At 6.5, on page 31, you say:</p> <p>21 "In 2017, the evidence suggests that, at least on</p> <p>22 E wing, the gap between the SMT and the DCOs was filled</p> <p>23 by a core group of DCMs who favoured an aggressive,</p> <p>24 authoritarian style of management."</p> <p>25 We can see what, for example, Owen Syred, who you</p> <p style="text-align: center;">Page 58</p>	<p>1 Mr Syred goes on to say:</p> <p>2 "One of them I actually had issue with and I said to</p> <p>3 him myself 'you're out of line' about an incident that</p> <p>4 happened. Of course I wasn't too surprised but you can</p> <p>5 understand when they're working in that environment down</p> <p>6 there they become quite close. What goes on there stays</p> <p>7 there -- that's their sort of attitude. I've worked</p> <p>8 down there myself --</p> <p>9 "Question: You don't see an evident clique at the</p> <p>10 moment?</p> <p>11 "Answer: I don't see an evident clique.</p> <p>12 "Question: You see, possibly, some still macho</p> <p>13 behaviour or not?</p> <p>14 "Answer: No, it's not as bad as it was. I used to</p> <p>15 be called 'Cuddly Care Bear' by certain officers and</p> <p>16 actually the officer he used to call me that got the</p> <p>17 sack."</p> <p>18 He is asked a few more questions of that and then</p> <p>19 Ms Lampard says:</p> <p>20 "Question: Not in the group?</p> <p>21 "Answer: Yes. I wasn't part of that clique.</p> <p>22 I wasn't part of the macho group. I'd overhear talk in</p> <p>23 the staff room about stuff -- people talk about</p> <p>24 whatever."</p> <p>25 And on it goes. Then, turning, please, if we may,</p> <p style="text-align: center;">Page 60</p>

<p>1 to the Verita interview in March 2018 of Sarah Newland, 2 which is <VER000223> at page 20 -- chair, tab 21, if you 3 want the hard copy reference. If we can go down, 4 please. It is probably page 21, at the top, please. At 5 294: 6 "We are going to talk about ... this week", says 7 Ms Lampard to her: 8 "There is one final question to pin this down, and 9 maybe it wasn't about this, but I do see some of what 10 you've been talking about reflected in the staff on the 11 floor. One shouldn't make judgments about people's 12 physical appearance, but it is unmissable that there is 13 a cadre of DCMs who are testosterone-filled, large men 14 who slap each other on the back, and as a woman, I am 15 acutely conscious of them. There they are. You don't 16 have any female DCMs other than the two we know about. 17 You have two DCMs and they tend to be doing more 18 strategic and admin functions. Do you think that's 19 a fair assessment that there is a laddish, small group 20 of DCMs? 21 "Answer: Yes. 22 "Question: ... 23 "Answer: ... 24 "Question: Do you think that they are influential 25 in terms of the culture of this place?</p> <p style="text-align: center;">Page 61</p>	<p>1 calling out problematic behaviour by colleagues." 2 So all of that arrives at this question: what do you 3 think are the likely explanations for the formation of 4 dominant staff cliques within Brook House which 5 perpetuated that macho, testosterone-filled culture? 6 A. Well, I think there were -- I mean, I think the evidence 7 does suggest that there were -- that there was that 8 macho staff culture, and I think that there are a number 9 of different contributing factors. So -- and one of 10 them returns us to this issue about the prisonisation of 11 detention, that the training and a lot of the language 12 casts people who are detained as being potentially 13 dangerous, and that invites a certain kind of masculine, 14 authoritarian response. 15 Q. Self-perpetuating, circular? 16 A. Yes. I think it is also -- I mean, it seems to have 17 been the case that, because of the nature of E wing in 18 terms of where it's located in the facility, because the 19 SMT were not as visible as officers wanted, that there 20 was a sense that they were somehow out of sight and that 21 therefore, you know, things could -- things grew there 22 that perhaps weren't really controlled, and by that 23 I mean, you know, the sort of authoritarian subculture. 24 I think, you know, whenever I go into any IRC, staff 25 always complain that they don't see the SMT. I don't</p> <p style="text-align: center;">Page 63</p>
<p>1 "Answer: They are. In fact, the last two or three 2 occasions that I have done DCM interviews, so DCOs who 3 want to be DCMs, when you ask them about making 4 decisions they talking about Oscar 1, Oscar 1. One DCM 5 on a day will be Oscar 1, so they are responsible for 6 the running of the centre. They respond to incidents, 7 they juggle staff around, and what we were trying to 8 extract from them is, think if you were a DCM and you 9 needed some advice and support, whom you would go to. 10 We were trying to extract from them the Duty Director, 11 and they kept going on about Oscar 1." 12 You reference in your second report, 13 Professor Bosworth, at 4.15, on page 20, and this was 14 your second report, in light of further information you 15 received: 16 "The additional evidence that I have read confirms 17 my findings in the preliminary report that there was 18 dissatisfaction among the staff group. As in that 19 report, the witness statements to the inquiry suggest 20 that is there were also tensions among parts of 21 the custodial staff group and that these conflicts 22 likely affected the treatment of the detained men, both 23 because staff felt undervalued by and suspicious of 24 their peers and because the staff hierarchy and specific 25 staff cliques and individuals discouraged them from</p> <p style="text-align: center;">Page 62</p>	<p>1 think that was something that was just about Brook House 2 and I think, actually, the SMT have quite a distinctive 3 role and their role is not operational. I mean, in the 4 sort of narrow sense, they are there to be strategic and 5 to be producing reports and to be having a sort of 6 overview, so they do spend a lot of time in their 7 offices, they're managers. I mean, that's what managers 8 do in any line of working. 9 I think the other element which is perhaps not so 10 apparent is that, actually, custodial work is quite 11 feminised work, and so, you know, they spend a lot of 12 time doing things like stripping duvet covers off duvets 13 because a new person is coming into the room because one 14 person has been removed or released; you know, they have 15 to, like, make sure everybody gets their lunch; they 16 have to sort of help them perhaps maintain contact with 17 their children. I mean, these are normally jobs that 18 women do. 19 And so the way I read it is that some of 20 the performance of masculinity is actually a kind of 21 compensation for that aspect of the job, and that it's 22 much more exciting to think of yourself as being there 23 in security, potentially dealing with somebody who might 24 be dangerous and a threat, than it is to sort of tell 25 yourself that your job is to clean up after them and</p> <p style="text-align: center;">Page 64</p>

<p>1 basically do women's work.</p> <p>2 So I think all of those factors contribute.</p> <p>3 Q. If you go to your page 18 of your first report,</p> <p>4 paragraph 4.13, to pick up on another issue which you</p> <p>5 identify, you say:</p> <p>6 "While some staff members described an esprit de</p> <p>7 corps with specific colleagues, a number of wing</p> <p>8 officers complained about the nature of their job, their</p> <p>9 low pay, and the conditions under which they worked. At</p> <p>10 times they complained about new colleagues."</p> <p>11 And we can see this because you footnote it as well.</p> <p>12 But we can see this in a particular transcript. Let's</p> <p>13 just put it up. <TRN0000021> at page 6. Chair, this is</p> <p>14 in the supplementary bundle at tab 7.</p> <p>15 This is on 29 April:</p> <p>16 "Callum Tulley: All of them are suspended.</p> <p>17 "Dan Lake: Cause apparently, he lost his rag with</p> <p>18 someone and the new staff put an SIR in saying</p> <p>19 [inaudible]."</p> <p>20 Another officer identified as "Male officer 2":</p> <p>21 "Got to be careful with the new staff. They give us</p> <p>22 [inaudible] there's going to be no-one here."</p> <p>23 Someone else says "These new staff" and Dan Lake:</p> <p>24 "Buncha cunts, ain't they? Literally are.</p> <p>25 "Callum Tulley: So that's four people in total have</p> <p style="text-align: center;">Page 65</p>	<p>1 know, in a sort of welcoming fashion by existing staff.</p> <p>2 I think there are -- you know, I think there are, again,</p> <p>3 structural explanations for this which are not</p> <p>4 necessarily simply about culture, which relate to the</p> <p>5 lack of career progression for DCOs, and so, you know,</p> <p>6 while a few DCOs become DCMs and then they receive</p> <p>7 a slightly enhanced salary, but not massively, most</p> <p>8 people stay DCOs for the duration of their career.</p> <p>9 So -- and then the pay structure, as I understand</p> <p>10 it, is such that, you know, for the most -- they are</p> <p>11 basically earning the same as somebody who has only just</p> <p>12 been recruited, and, you know, that seems to me an</p> <p>13 entirely reasonable frustration you might feel and can,</p> <p>14 I would have thought, contribute to -- well, to a sort</p> <p>15 of hostility within the career structure that if you</p> <p>16 feel as though you're just -- you know, you're just</p> <p>17 expendable to your senior management team because</p> <p>18 they're going to pay some new person the same amount as</p> <p>19 they paid you and they don't think you have anything to</p> <p>20 give them, then why would you give them anything?</p> <p>21 So I think, you know --</p> <p>22 Q. So there were structural problems, which I think you're</p> <p>23 telling us contributed, perhaps, to the view of new</p> <p>24 recruits, but in terms of the long-term employees who</p> <p>25 might have been part of a clique, what impact did that</p> <p style="text-align: center;">Page 67</p>
<p>1 been suspended."</p> <p>2 You reference that particular transcript on that</p> <p>3 day, and if we look a little further in your own report</p> <p>4 at 4.24 on page 19, we have another aspect of this:</p> <p>5 "A number of staff members in the Verita interviews</p> <p>6 and the footage complained that too much attention was</p> <p>7 focused on new officers and not enough on those with</p> <p>8 long service. Inexperienced staff, people complained,</p> <p>9 made mistakes. They did not have the 'life experience'</p> <p>10 necessary for the job, some thought. As</p> <p>11 DCO Gary Siggins put it, for example, 'You can't teach</p> <p>12 experience to an ITC. We've lost so many top notch</p> <p>13 officers, it's unbelievable'. 'It is just bodies',</p> <p>14 another DCO claimed on the footage, 'unless they know</p> <p>15 actually what the fuck they're doing'."</p> <p>16 What's the impact, do you think, on the view of new</p> <p>17 officers -- inexperienced, couldn't be trusted. What's</p> <p>18 the impact? We have heard about difficulties of</p> <p>19 recruitment and retention, but you've got new officers</p> <p>20 come in who aren't trusted by the old guard. What's the</p> <p>21 impact of that on culture, do you think?</p> <p>22 A. Well, I suppose it raises the risk that if -- you know,</p> <p>23 that the ones -- that the new recruits who would like to</p> <p>24 disrupt the old culture perhaps wouldn't stick around if</p> <p>25 they are going to not be treated very welcome -- you</p> <p style="text-align: center;">Page 66</p>	<p>1 have on new recruits? I mean, either they put up or</p> <p>2 shut up, presumably?</p> <p>3 A. Well, I mean, you know, I can't say based on the</p> <p>4 evidence that I've seen what the effect was, but,</p> <p>5 I mean, certainly from other pieces of research, you</p> <p>6 know, there's famous studies that have been done with</p> <p>7 the police which document that, you know, before police</p> <p>8 officers begin their job, they have -- they quite often</p> <p>9 have, you know, quite liberal views, they quite often,</p> <p>10 you know, express concerns around questions of poverty</p> <p>11 and social justices contributing to offending. You</p> <p>12 know, they might have a whole series of motivations for</p> <p>13 becoming a police officer. But, normally, after they're</p> <p>14 in the job as a police officer, their views change and</p> <p>15 they become the views of a dominant, more authoritarian,</p> <p>16 less sympathetic -- so I assume that's what happens in</p> <p>17 detention, but, to be fair, we don't have the evidence.</p> <p>18 Q. As you appreciate, the inquiry has heard quite a bit</p> <p>19 that this toxic, macho culture encouraged the use of</p> <p>20 inappropriate or derogatory language and glorified</p> <p>21 violence and use of force. Can we have a look at some</p> <p>22 parts of the evidence. If we can put up, please, chair,</p> <p>23 the supplementary volume for you, tab 8, <VER000257> at</p> <p>24 page 7, please. This is Dominic Aitken's interview with</p> <p>25 Verita. At the top, at 48:</p> <p style="text-align: center;">Page 68</p>

<p>1 "One thing which I did hear a lot at the time, and 2 which, having watched Panorama I now feel I should have 3 been asking more about: I heard an awful lot of staff 4 say to me, there are some people that worked here that 5 think it's all about fighting people and it's all about 6 control and restraint, and they love that side of 7 the job, and those are people that are here for the 8 wrong reasons. What they were always saying is that's 9 a minority of staff, it's not me, and they would never 10 name the person or the people that they had in mind, but 11 a lot of different members of staff said that to me, 12 suggesting that there is at least a minority of staff -- 13 it might be a very small minority of staff -- who do 14 that, who restrain detainees too easily, who enjoy the 15 kind of conflict and bravado." 16 When that idea/notion was put, I think, my 17 recollection, at least, to all of the officers, former 18 officers, who came along, they denied it. And then 19 Nathan Ward, who made two statements to the inquiry, but 20 the first of which, chair, is at tab 9 of 21 the supplementary bundle, <DL0000141> at page 82, 22 please, paragraph 232 at the bottom. Here he was 23 talking about -- and we don't need to look through it 24 all, and we have seen this before, how because the 25 national group of trainers instructed the instructors</p> <p style="text-align: center;">Page 69</p>	<p>1 testosterone-filled environment, what impact does 2 formalisation of training, which perpetuates that kind 3 of training -- that kind of culture have, and what 4 Dominic Aitken picked up on when he was doing his 5 research during the relevant period? 6 A. Well, I mean, I think that -- I know I note in the 7 reports that the training then, and indeed still now, 8 seems to really emphasise security and you see that in 9 the number of days set aside for various C&R techniques 10 and also sort of subsidiary kinds of security-related 11 techniques around searching and one thing or another 12 like that, and I think -- you know, I think what that 13 does is it builds up the job as being a job that is 14 dangerous and risky and requires a certain kind of form 15 of authoritarianism and, indeed, masculinity. 16 I think the difficulty is, it actually -- most of 17 the job is not like that and, again, here we do need to 18 be a little bit careful about the footage, because the 19 footage suggests that Brook House was always like that, 20 that there were always these crises and always this 21 control and restraint. But I'm sure -- well, I would 22 imagine that, even in the relevant period, it wasn't 23 like that all of the time. Certainly, when I spend time 24 in IRCs, I don't, that often, witness that sort of 25 behaviour. So I think it is a story people tell</p> <p style="text-align: center;">Page 71</p>
<p>1 who went down to local level, there was a sort of macho 2 culture that cascaded down locally, and this is what he 3 says at 232: 4 "The toxic masculine culture which filtered down to 5 G4S was evident. I witnessed staff being trained in 6 degrading ways such as forcing them to dress up in 7 boiler suits and helmets to do warmups, with press-ups 8 if they made mistake. I complained about the C&R 9 training to Wayne Debnam and Ben Saunders at the time as 10 I felt it was inappropriate, humiliating and set the 11 wrong culture for the centre. They stopped the warm-up 12 practices for a certain period of time. I complained 13 about the C&R training more than anything, as I saw it 14 as being central to the running of Brook House, which to 15 my mind was wrong and perpetuated a negative, 16 macho-aggressive culture." 17 So we have got Dominic Aitken who picked up the fact 18 that some people just thought it was all about fighting 19 and actually enjoyed it, you've got Nathan Ward here 20 complaining about the nature of the training which 21 "perpetuated a macho, aggressive culture", as he puts 22 it. What, in your view, is the impact of that? So when 23 you get -- we have talked about a different aspect and 24 you said earlier there are different cultures here. But 25 when we are thinking about cliques and machismo and that</p> <p style="text-align: center;">Page 70</p>	<p>1 themselves about what their job involves and it is 2 a story that's a lot more interesting than actually 3 a job is going to be ticking people's names off a lunch 4 list, and it encourages a particular form of masculinity 5 which, in this case, seems to have generated all sorts 6 of problematic behaviour. But it's -- you know, it 7 wouldn't -- it returns to this question about what 8 exactly is the role of a DCO and how could we try and 9 cast that in terms that are not security related or not 10 only security related. 11 Q. Callum Tulley, if we can just put up his inquiry 12 statement, <INQ000052> at page 43, please. Chair, 13 you've got this in your supplementary bundle at tab 10. 14 THE CHAIR: Thank you. 15 MR ALTMAN: Paragraph 169: 16 "Furthermore, it is clear from the evidence that 17 I amassed during my employment at Brook House that 18 although the abuse of detainees was consistent 19 throughout my time there, the staff members responsible 20 for that abuse changed over time. Some abusive members 21 of staff left Brook House, only for others to continue 22 the abuse. This, in my view, demonstrated that the 23 abuse at Brook House was not because of a few bad apples 24 operating unbeknown to others, but because of 25 a cultural, systematic [I suspect he meant 'systemic']</p> <p style="text-align: center;">Page 72</p>

<p>1 failings which gave rise to this behaviour, allowed it</p> <p>2 to go unchallenged and dissuaded members of staff from</p> <p>3 raising concerns about it. Detainees suffered as</p> <p>4 a consequence."</p> <p>5 What do you make of that, you know, fresh blood</p> <p>6 comes in and adopts the culture that's already there?</p> <p>7 On the one hand, we were talking a little earlier about</p> <p>8 new recruits being mistrusted, and Callum Tulley's take</p> <p>9 on new recruits is that, perhaps not all of them, but</p> <p>10 some would come in and just carry on where others had</p> <p>11 left off. How does that work?</p> <p>12 A. Well, I think -- I mean, I think that was what I was</p> <p>13 referring to about the academic research on police.</p> <p>14 I think that is how behaviour is perpetuated in</p> <p>15 institutions.</p> <p>16 So while it is the case that, you know, individuals</p> <p>17 bear responsibility for their own actions, it is also</p> <p>18 the case that, if there are certain ways of doing</p> <p>19 things, then new employees learn those ways of doing</p> <p>20 things, and so I suppose, you know, there's a question,</p> <p>21 what would happen -- what would have happened if, in</p> <p>22 Brook House, they'd, you know, done a P&O and sacked</p> <p>23 everybody and replaced them all in one go? Would that</p> <p>24 have made a very different institution? Probably not.</p> <p>25 Q. So that suggests that Brook House itself structurally</p> <p style="text-align: center;">Page 73</p>	<p>1 apples, it is of a rotten barrel ..."</p> <p>2 Do you agree with that?</p> <p>3 A. I do, but I also do think that, again, we need to be</p> <p>4 careful to remember that not everybody acted in a way</p> <p>5 that this group of staff that we are talking about did,</p> <p>6 and I think we do need to have an explanation for the</p> <p>7 fact that there were people, you know, like Owen Syred</p> <p>8 in welfare. So, I mean, I think that -- I think that</p> <p>9 it's clear that there are systemic factors involved, but</p> <p>10 there are also individuals who are somehow able to</p> <p>11 resist those factors.</p> <p>12 Q. So do we understand, looking at the last line of that</p> <p>13 paragraph, that you subscribe to the fact that there</p> <p>14 were several bad apples, you don't subscribe to the fact</p> <p>15 that it was a rotten barrel?</p> <p>16 A. No, no, I think it's not helpful to think about bad</p> <p>17 apples, because I think if you think about bad apples,</p> <p>18 then you would simply say, "Well, we'll get in some new</p> <p>19 people and then we wouldn't have any problems", and</p> <p>20 that's clearly not the case. But I suppose, to maintain</p> <p>21 the metaphor, even if there is a rotten barrel, there</p> <p>22 are still some people who act with good intentions and</p> <p>23 who try and help and make a difference and that's all</p> <p>24 I'm trying to keep in mind.</p> <p>25 Q. While we have his statement open, if we can go to the</p> <p style="text-align: center;">Page 75</p>
<p>1 environmentally impacts on the culture?</p> <p>2 A. I think so. This is really the point I'm trying to make</p> <p>3 about, if you build an institution like a high-security</p> <p>4 prison and you fill it with foreign nationals for the</p> <p>5 purpose of their removal, I think, you know, as</p> <p>6 Stephen Shaw wrote about Oakington all those years ago,</p> <p>7 you are kind of setting up a system where this sort of</p> <p>8 behaviour is always going to be a risk. And it is not</p> <p>9 to say that everybody is doing it, of course not, but we</p> <p>10 do -- it does seem -- there does seem to be a sort of</p> <p>11 repetition of things happening over a fairly long period</p> <p>12 of time in different institutions. It is part of</p> <p>13 a system, I think.</p> <p>14 Q. Let's go back to Dr Paterson. Chair, this was in your</p> <p>15 supplementary bundle at tab 6, <BHM000045> at page 22,</p> <p>16 please. If we go to paragraph 97:</p> <p>17 "Such language, attitudes and behaviours are clear</p> <p>18 evidence of a corrupted or toxic culture. Irrespective</p> <p>19 of the original root cause of the misuse of coercive</p> <p>20 measures, if such misuse is sustained over time such</p> <p>21 patterns of behaviour can gradually become embedded as</p> <p>22 part of the service culture subtly passed on to new</p> <p>23 members of staff via modelling rather than explicit</p> <p>24 endorsement as simply the '... way things have always</p> <p>25 been done around here' ... The problem is not one of bad</p> <p style="text-align: center;">Page 74</p>	<p>1 next page, at paragraph 101, in the first couple of</p> <p>2 lines:</p> <p>3 "The misuse of restraint, whether in the form of</p> <p>4 notionally approved techniques or various forms of</p> <p>5 violence, has been suggested to be a defining</p> <p>6 characteristic of a corrupted culture."</p> <p>7 Do you have any views on that?</p> <p>8 A. Well, I mean, I think, in terms of the footage and</p> <p>9 things, it's not simply this question of misuse of</p> <p>10 restraint; it's the issue of the overuse of restraint.</p> <p>11 The kind of turning -- the relying on restraint as the</p> <p>12 kind of handling vulnerable and distressed people rather</p> <p>13 than alternatives which would have involved, you know,</p> <p>14 lots and lots of talking but also bringing them the</p> <p>15 information and the things that they needed. So it's</p> <p>16 not simply -- I mean, certainly there seems to have been</p> <p>17 misuse of restraint, but I don't think that that's the</p> <p>18 only issue. It was that there was a reliance on it.</p> <p>19 Q. If we change the word to "overuse" rather than "misuse",</p> <p>20 do you agree with him "whether in the form of notionally</p> <p>21 approved techniques or various forms of violence, has</p> <p>22 been suggested to be a defining characteristic of</p> <p>23 a corrupted culture"?</p> <p>24 A. Yes.</p> <p>25 Q. You do. Then his paragraph 104 on page 24:</p> <p style="text-align: center;">Page 76</p>

<p>1 "The saturating effect of such cultures once 2 developed may become so powerful that they redefine what 3 staff would ordinarily interpret as abuse if not 4 criminal behaviour as merely conformity. Newly 5 appointed staff can come under significant implicit and 6 sometimes explicit pressure not only to accept the 7 inappropriate behaviour of other staff but to themselves 8 engage in institutionally-sanctioned violence in order 9 to be accepted and trusted."</p> <p>10 Do you agree with that?</p> <p>11 A. I mean, it seems like a reasonable proposition. 12 I suppose, you know, I don't have a very clear sense of 13 the scale of -- beyond the footage of the restraints 14 that were used, and so, I mean, you know, one of 15 the things I think that the events in Brook House really 16 make very clear is the importance of having transparent, 17 reliable information about what's actually happening.</p> <p>18 Q. He refers, in the previous paragraph -- I didn't read it 19 in, but in paragraph 101 -- to the Yan Paschali incident 20 and provided some views about that. Do you think that 21 that -- or that the impact of that kind of corruptive 22 culture, if that is what it is, is that abusive 23 behaviour can, or does, become normalised and is no 24 longer seen as unacceptable?</p> <p>25 A. I feel like I'm being slightly pedantic. I mean,</p> <p style="text-align: center;">Page 77</p>	<p>1 of extrapolate from that to try to understand the whole 2 institution? I'm not trying to say the whole 3 institution didn't have problems. I think there is 4 a huge amount of evidence that it did, and I am of 5 the view that a lot of the problems are a consequence of 6 the nature of the system as a whole. But, I mean, 7 I also suppose I think it is important not to sort of 8 imagine that everybody was constantly trying to strangle 9 distressed men.</p> <p>10 Q. Which brings me to the issue of silence. One of 11 the issues with D1527 is one could take the view -- and 12 it will be a matter for the chair if she does -- that 13 that was completely covered up, the incident that we are 14 talking about. She may take the view -- I don't know -- 15 that it was covered up not just by custodial officers, 16 but also by healthcare?</p> <p>17 A. Yes.</p> <p>18 Q. Do you agree that a key feature of Brook House staff 19 culture was the bullying, marginalisation and targeting 20 of officers as "snitches" who sought to resist or speak 21 out? Did you see evidence of that?</p> <p>22 A. I think you see evidence of that in those quotes before 23 about views of new recruits and people putting in -- in 24 security incident reports, and so that does provide an 25 example of that sort of discussion. Again, you know,</p> <p style="text-align: center;">Page 79</p>
<p>1 "normalised"? Do we have the evidence that it was 2 normalised across the entire establishment, that 3 everybody thought it was fine? I mean, I'm not sure we 4 have that evidence. Clearly, Callum Tulley didn't think 5 it was.</p> <p>6 Q. No.</p> <p>7 A. So, I mean, it does seem to -- it does seem to be from 8 the footage that there was a lot of -- there was 9 normalisation, particularly in the coarse language that 10 was used and the ways in which detained people were 11 referred to disparagingly. There does seem to be a sort 12 of -- have been a normalised way of dismissing the 13 detained people and that that would lend itself towards 14 instances of violence and abuse because they're no 15 longer kind of considered to be fully human or fully 16 sort of, you know, deserving of decent treatment. But, 17 I mean, the footage, as far as I'm aware, did not 18 necessarily show multiple other incidents that were 19 quite of that nature.</p> <p>20 Q. You're right about that. Your point is, you have to be 21 slightly careful because the footage could be limiting?</p> <p>22 A. Well, I think -- I mean, yes. I suppose that the 23 question from the footage is simply -- is a question of, 24 how do we understand this specific set of events that 25 happened in a specific period of time? How do we sort</p> <p style="text-align: center;">Page 78</p>	<p>1 I am a bit limited by the amount of footage because 2 I don't know how widespread that was, but certainly the 3 officers who repeatedly appear in the footage seem to 4 have taken that view.</p> <p>5 Q. Looking at other examples, we have got Owen Syred. We 6 don't have to look at it. The inquiry has seen it 7 often. But in one of his inquiry witness statements -- 8 for the record, <INN000007> -- his paragraphs 125 to 9 127, you may remember this, when he complained about the 10 use of the N word by another staff member, was subject 11 to a campaign of ostracism and was referred to as 12 a "nigger lover", which you will have read.</p> <p>13 Callum Tulley, for his part, in his inquiry 14 statement, we looked at it a little earlier, but 15 paragraph 168 of <INQ000052>, he tells us that the 16 culture of silence across the work force at Brook House 17 coupled with the lack of demonstrable oversight, 18 interest and engagement from Ben Saunders and his senior 19 management team allowed the abusive culture in 20 Brook House to fester and go unchecked. He adds the 21 confidence that officers and managers had to, in front 22 of other members of staff, flagrantly brag and joke 23 about abuse or speak in derogatory or even racist terms 24 about detainees demonstrated their faith in the culture 25 of silence which allowed the abuse to persist, and we</p> <p style="text-align: center;">Page 80</p>

<p>1 have got his evidence, you will remember, which is also</p> <p>2 found in his witness statement and in his evidence,</p> <p>3 of a poster or posters, "Speak Out" posters, which were</p> <p>4 in the staff area outside some lavatories, as I recall</p> <p>5 it, were defaced with "snitch", "grass", that sort of</p> <p>6 thing.</p> <p>7 How does all of that feed in to how officers go</p> <p>8 about their job? How does it feed in to how they feel</p> <p>9 comfortable about reporting others when they see</p> <p>10 misconduct taking place?</p> <p>11 A. Yes. No, I mean, it seems fairly clear from the</p> <p>12 evidence that this was not an environment where people</p> <p>13 were encouraged to report their concerns, and it seems</p> <p>14 to have been an environment where there was, you know,</p> <p>15 an extensive normalisation of inappropriate ways of</p> <p>16 talking about people and acting towards the detained</p> <p>17 population.</p> <p>18 I think that raises questions again about the nature</p> <p>19 of the role. Like, how would you -- what would you need</p> <p>20 to put in place to sort of allow DCOs to feel confident</p> <p>21 that they could report things? And, I mean, you know,</p> <p>22 there's either -- do they recognise that it was wrong,</p> <p>23 and maybe they didn't even recognise that was wrong if</p> <p>24 they, themselves, believed in these sort of views. But</p> <p>25 it also, I think, speaks to the way in which there was</p> <p style="text-align: center;">Page 81</p>	<p>1 know, there's a question about, would we have seen</p> <p>2 different kinds of actions if the footage had been</p> <p>3 mainly done in a different unit?</p> <p>4 Q. Looked at a different way, do you think there is any</p> <p>5 significance to the fact that some of the most severe</p> <p>6 abuse which you will have seen depicted on the footage</p> <p>7 occurred on E wing in relation to the most vulnerable</p> <p>8 residents from Brook House?</p> <p>9 A. Yes, absolutely. I think what you see in that is you</p> <p>10 see an institutional and an individual failure to</p> <p>11 understand the detained men as being vulnerable, and,</p> <p>12 instead, they are considered to be dangerous and</p> <p>13 difficult, and that that justifies -- that, in a way,</p> <p>14 justified for the officers their actions. Their actions</p> <p>15 kind of are all of a piece, where, instead of seeing</p> <p>16 these men as vulnerable and having mental health</p> <p>17 problems and, therefore, in need of help, once they are</p> <p>18 on E wing, they seem to be considered to be difficult.</p> <p>19 Q. Let's turn on, then, to one of the other issues that you</p> <p>20 have been asked to consider, language. Did you agree</p> <p>21 that within this staff culture inappropriate,</p> <p>22 derogatory, offensive, racist language about and towards</p> <p>23 detainees appeared to you, from what you say, subject to</p> <p>24 the qualifications you make about the footage,</p> <p>25 commonplace?</p> <p style="text-align: center;">Page 83</p>
<p>1 clearly a lack of trust among officers. So there</p> <p>2 wasn't -- you know, in the same way that they didn't</p> <p>3 trust the detained population, they sort of saw the</p> <p>4 detained population as a threat -- I think Callum Tulley</p> <p>5 refers to it as "us and them" -- there also wasn't</p> <p>6 a widespread series of relationships among the staff</p> <p>7 which perhaps could have encouraged them to talk about</p> <p>8 concerns they had about each other.</p> <p>9 Q. You spoke in your report at 4.20 -- we don't have to</p> <p>10 look at it -- that there appears to have been</p> <p>11 a subculture, or a distinctive subculture, on E wing.</p> <p>12 What do you mean when you use the word "subculture"?</p> <p>13 What are you trying to depict? Are you saying there was</p> <p>14 a dominant culture or a different culture or it's only</p> <p>15 exclusive to those who come and go on E wing? How do we</p> <p>16 understand that?</p> <p>17 A. Well, I think a lot of the statements about E wing seem</p> <p>18 to suggest that E wing was considered to be a very</p> <p>19 particular part of the centre, and that it had -- you</p> <p>20 know, it had these very dominant, aggressive members of</p> <p>21 staff working there, and that a lot of the people who</p> <p>22 worked on E wing appear -- you know, a lot of</p> <p>23 the footage was in E wing and a lot of the people who</p> <p>24 appear in the footage were officers from E wing. That</p> <p>25 was really all I was trying to get at. I suppose, you</p> <p style="text-align: center;">Page 82</p>	<p>1 A. Yes.</p> <p>2 Q. Not just confined to specific cliques insofar as you</p> <p>3 could tell or specific officers?</p> <p>4 A. All of the officers swore all the time. I mean, it was</p> <p>5 very extensive.</p> <p>6 Q. We have heard evidence from former staff members that</p> <p>7 this type of language was used either as a form of</p> <p>8 banter between officers, it was, in effect, private and</p> <p>9 not intended to be heard by detained men or as a way to</p> <p>10 cope or let off steam, and similar things have also been</p> <p>11 said about language with detained people. So, for</p> <p>12 example, some of the worst examples we have, oral</p> <p>13 evidence of Sean Sayers, "I'm going to skull fuck you</p> <p>14 like the little bitch you are" said to a detained</p> <p>15 person. On 10 March, language he said may seem</p> <p>16 inappropriate, but it was banter and that the detained</p> <p>17 person was laughing as well. Did that make it</p> <p>18 consensual, do you think?</p> <p>19 A. No.</p> <p>20 Q. Or there's the allegation, albeit denied by</p> <p>21 John Connolly -- and he, after all, had been at</p> <p>22 Brook House for years and he was one of the C&R</p> <p>23 instructors -- that he called -- and this is according</p> <p>24 to Callum Tulley, which it is right for me to point out</p> <p>25 John Connolly denied when I asked him about it, but</p> <p style="text-align: center;">Page 84</p>

<p>1 nonetheless called a detained man a "cunt" during</p> <p>2 a strip search, according to Callum Tulley. I mean, is</p> <p>3 there anything that you can help us with as to how</p> <p>4 consent works, or probably doesn't work, in the context</p> <p>5 of a custodial environment and where there is a clear</p> <p>6 associated power imbalance?</p> <p>7 A. So you mean a claim that this is banter?</p> <p>8 Q. Well, banter, and my point to you was, could it ever be</p> <p>9 consensual even if the detained man found himself</p> <p>10 laughing at being abused? Is there a real consent in</p> <p>11 that situation where there is a clear power imbalance?</p> <p>12 A. No. No, obviously not.</p> <p>13 Q. We also heard evidence as to how language was used by</p> <p>14 staff as a means of fitting in with the macho culture.</p> <p>15 Let's maybe just put this one up on screen. It's</p> <p>16 a hearing transcript -- chair, it's in your</p> <p>17 supplementary bundle at tab 14 -- <INQ000164> at</p> <p>18 page 31. I don't know if you had the opportunity --</p> <p>19 sorry, it may be 161, <INQ000161>. It is my</p> <p>20 handwriting. If we go to page 31 at the bottom, you</p> <p>21 will see the individual page is 124. If we scroll down</p> <p>22 bottom right, this was the evidence of Kalvin Sanders.</p> <p>23 He had made, you will remember -- maybe you won't. But</p> <p>24 he had made certain comments to Callum Tulley on</p> <p>25 4 and 8 May about certain things he said that he had</p> <p style="text-align: center;">Page 85</p>	<p>1 even, like, great people, you know?"</p> <p>2 Then on the next page, 127, top right, at line 17,</p> <p>3 and this was my question to him.</p> <p>4 "Question: When you said, as we saw with the</p> <p>5 transcript we have up on screen, from lines 39 to the</p> <p>6 bottom, this is the 8 May one, about being an</p> <p>7 'attention-seeking little prick' ..."</p> <p>8 Because this is what he said to Callum Tulley, he</p> <p>9 said that he -- a reference to 1527 was an</p> <p>10 "attention-seeking little prick". I asked him:</p> <p>11 "... was that your view or was that something you</p> <p>12 made up as well?</p> <p>13 "Answer: Something I made up. Again, I don't feel</p> <p>14 like that at all because, you know, my brother has</p> <p>15 killed himself, you know, from suicide, so that's not my</p> <p>16 views at all. Again, it's just me acting the way</p> <p>17 everyone else was. That's -- it wasn't just me who,</p> <p>18 like, said those things, because everyone else was</p> <p>19 saying it."</p> <p>20 What do you make of all of that?</p> <p>21 A. So, actually, I'm struck by the fact that he references</p> <p>22 that his own brother had taken his life.</p> <p>23 Q. Yes.</p> <p>24 A. I mean, I would -- so to return to this idea of</p> <p>25 secondary trauma, one of the -- one of the things that</p> <p style="text-align: center;">Page 87</p>
<p>1 done to D1527 when he was on constant observations of</p> <p>2 him on 24 April, the day before the Yan Paschali</p> <p>3 incident. What he says at the bottom of 124 at line 20</p> <p>4 is:</p> <p>5 "Answer: What the note says and what the truth is,</p> <p>6 you know, the comments I made to the DCOs were just my</p> <p>7 attempts trying to fit in. Of course, what the notes</p> <p>8 don't say is that the conversation before what I said</p> <p>9 was -- all led up to the recent C&Rs that everyone had</p> <p>10 done. Being new there ..."</p> <p>11 He is interesting from two points of view, because</p> <p>12 he's saying, "I'm new and I'm trying to fit in". Now,</p> <p>13 he claims that all of the things he alleged to have said</p> <p>14 to Callum Tulley were just lies, it was make-believe,</p> <p>15 but he did it purely to fit in as a new boy, as it were:</p> <p>16 "Answer: ... Being new there, obviously, you know,</p> <p>17 I was just trying to sort of fabricate some story in</p> <p>18 which, you know, it would make me seem more interesting</p> <p>19 to them, you know? Being on a constant was the only</p> <p>20 sort of time that would -- it's close to anything that</p> <p>21 they had done, you know."</p> <p>22 Further down into page 126, individual page 126, at</p> <p>23 line 12:</p> <p>24 "Answer: ... You know, these are just lies that</p> <p>25 I made up to try and fit in with some people who weren't</p> <p style="text-align: center;">Page 86</p>	<p>1 the literature on secondary trauma says is that people</p> <p>2 who have, themselves, experienced trauma, such as one's</p> <p>3 brother killing himself, they are more -- they will have</p> <p>4 fewer resources to manage other people's trauma. So,</p> <p>5 you know, in the kind of current terminology, they're</p> <p>6 more likely to be triggered by somebody else's trauma.</p> <p>7 And that when that happens, they are more likely to then</p> <p>8 be unable to handle it and to, you know, dehumanise and</p> <p>9 do all sorts of things that secondary trauma causes.</p> <p>10 So, to return to this account of what the</p> <p>11 Prison Service is doing around secondary trauma, one of</p> <p>12 the things they do with officers is they try and get the</p> <p>13 officers to be mindful of what their own experiences</p> <p>14 have been in their lives, so that, when confronted with</p> <p>15 somebody, you know, a prisoner, who has various</p> <p>16 traumatic things that have happened to them, that they</p> <p>17 are kind of aware that that will actually affect them</p> <p>18 emotionally. So it seems to me that that could well</p> <p>19 have happened with this man. It also seems that, you</p> <p>20 know, he said and did lots of terrible things and to say</p> <p>21 he was just trying to fit in is a little bit denying his</p> <p>22 responsibility for that.</p> <p>23 But if cultures reproduce themselves by people</p> <p>24 adopting the language and behaviours, that's what he's</p> <p>25 showing is happening.</p> <p style="text-align: center;">Page 88</p>

<p>1 Q. So that we are clear, and it may just be me, if you have 2 suffered the sort of trauma that he told us about, are 3 you saying it is more likely he would do as he did, in 4 other words, try to fit in by -- it may be that the 5 chair doesn't accept that he made up the stories, but 6 let's assume what he said was truthful and accurate. Is 7 it more likely somebody like him would make up stories 8 to fit in or less likely?</p> <p>9 A. I can't speak to the making up stories bit. What I'm 10 saying is that, if he's experienced the trauma, he would 11 be more likely to have quite an emotional reaction to 12 somebody else doing it and that that emotional reaction 13 in a place like Brook House would be a painful one and 14 that might make it hard to act appropriately.</p> <p>15 So, I mean, I think that it's not -- it's not 16 irrelevant that he had had that kind of trauma.</p> <p>17 Q. Attention-seeking, manipulative behaviour, swinging the 18 lead, whatever you care to call it, is something 19 a number of officers had in mind about the vulnerable 20 population?</p> <p>21 A. Yes, and I think that's a very common way that people 22 talk about people who self-harm and take their own 23 lives, and I think that that is both an indication of 24 people's -- of the people who say it, it's both an 25 indication of, you know, their lack of humanity in that</p> <p style="text-align: center;">Page 89</p>	<p>1 careful in his instance, given his experience. But do 2 you think that claims that the type of language that we 3 have witnessed was used to cope, fit in, has to be 4 approached with a certain degree of scepticism?</p> <p>5 A. So I was very struck by the fact that Dan Small said 6 that he'd become racist from working in Brook House, 7 because I have published an article where the title of 8 the article is a quote from a detention officer in 9 a different institution saying, "Working in this place 10 has made me racist". So I think that's actually 11 something that people say.</p> <p>12 I think that -- I think that we can interpret that 13 in ways that don't relieve them of their moral 14 responsibility for expressing racist views. So I think 15 that it seems to me that there's a lot of evidence that, 16 you know, certain ways of talking and -- talking about 17 detained people and acting towards detained people were 18 clearly encouraged by a group of officers in Brook House 19 at the time, and that those ways of talking and acting 20 were derogatory, and often racist.</p> <p>21 But I think the fact that -- but I think that these 22 are structural things that spring from the institution 23 itself. So it's not -- so it's both a kind of question 24 of attitude and belief, but it also speaks to the 25 purpose of the institution, and that's why, you know,</p> <p style="text-align: center;">Page 91</p>
<p>1 moment -- obviously they shouldn't be saying those 2 things -- but it also, I think, does -- we should accept 3 that it's an indication of the kind of emotional 4 consequences of being -- of witnessing that sort of 5 pain.</p> <p>6 Q. Other examples that we have had, back to Dan Small, we 7 all remember this and we don't have to look at the 8 transcript for it, he said that the job has "made me 9 racist". You will remember that. He said in his oral 10 evidence to us -- again, I'm not going to put up the 11 transcript on screen -- "The environment moulded you. 12 It changes a person working in that environment". He 13 added "I've cottoned on" -- you will remember he used 14 those words in a different context -- "Think of it as 15 a sheep in a herd. You know, I'm just following suit, 16 what everyone else did, just use the terminology that 17 was used."</p> <p>18 That's pretty similar to what Calvin Sanders has 19 told us. Then we have got Charlie Francis, who, when he 20 gave evidence, said he was led into it by more dominant 21 staff members, in other words, the language, use of 22 language. He was led by that behaviour, he didn't 23 instigate it. It was all part of the macho culture.</p> <p>24 Did you think -- I know what you have told us about 25 Calvin Sanders and perhaps we have to be slightly more</p> <p style="text-align: center;">Page 90</p>	<p>1 you have the Stephen Shaw report from Oakington written 2 in 2005, or whenever, which finds very, very similar 3 issues, and that's the real challenge about trying to 4 prevent it from happening again. I'm not sure that 5 answered your question.</p> <p>6 Q. I think it probably does. The more staff witness or use 7 this kind of language and do nothing about it, do you 8 think the more inured to its impact they become?</p> <p>9 A. Yes.</p> <p>10 Q. We have also heard evidence about the demeaning language 11 used about, or to, detainees, often highly vulnerable 12 people: for example, on 25 April to D1527, you will 13 remember, "You fucking piece of shit"; D728 on 6 July, 14 I think this was, and I hope I'm not misidentifying it, 15 I think this was Ed Fiddy said to Callum Tulley, "He's 16 being an absolute cunt"; and of D1275 on 14 June, who 17 had been removed to his room after a spice attack, we 18 have Nathan Ring mocking him and his singing, calling 19 him a "div" and a "scrotum". What impact does that kind 20 of language -- it may be low level, some of it, not all 21 of it -- do you think, have on the attitude towards and 22 care of vulnerable detainees and their perception of 23 their position within the IRC?</p> <p>24 A. I think it's obviously completely corrosive, and it 25 was -- you know, the widespread nature of those sorts of</p> <p style="text-align: center;">Page 92</p>

<p>1 comments that are picked up on the undercover footage is</p> <p>2 genuinely shocking, and it was – it clearly was not</p> <p>3 being addressed by management and was widespread and,</p> <p>4 you know, I think played quite a large role in the</p> <p>5 physical manifestation.</p> <p>6 Q. Do you think it contributes to the "us and them"?</p> <p>7 A. Absolutely.</p> <p>8 Q. The use of the language, or the freedom, perhaps, with</p> <p>9 which the language was used with impunity, did you think</p> <p>10 that had any contribution to the culture of mistreatment</p> <p>11 or abuse that we know existed?</p> <p>12 A. Yes.</p> <p>13 Q. We touched on language barriers a little earlier. What</p> <p>14 impact do you think that language barriers and</p> <p>15 difficulties some detainees faced had on their</p> <p>16 vulnerability to mistreatment and abuse from staff?</p> <p>17 A. Well, I mean, I think the obvious effects would simply</p> <p>18 be that it would have been very difficult for them to</p> <p>19 seek out any redress or any assistance if they were</p> <p>20 unable to communicate easily, and I think one of the,</p> <p>21 you know, real difficulties that detained people face in</p> <p>22 detention is that it is quite hard for them to access</p> <p>23 help, and although there are formal complaints</p> <p>24 procedures, they require them to write it down and they</p> <p>25 require them to write it down in English and they</p> <p style="text-align: center;">Page 93</p>	<p>1 swear at them directly."</p> <p>2 And then you give an example."</p> <p>3 G4S invite me to ask you what you noticed about the</p> <p>4 level of swearing among detainees. In other words,</p> <p>5 directed towards one another and to staff?</p> <p>6 A. I don't really think that's particularly relevant for</p> <p>7 explaining the staff behaviour. An analogy would be if</p> <p>8 you were in a school playground and teenagers were</p> <p>9 swearing at each other, you still wouldn't accept the</p> <p>10 teacher swearing at the children. So, I mean, in terms</p> <p>11 of the power differentials between the populations, it</p> <p>12 doesn't really matter if the detained people were</p> <p>13 swearing at each other or even if they were swearing at</p> <p>14 the officers. The officers' role is a professional one</p> <p>15 and they simply should not have used the language they</p> <p>16 did.</p> <p>17 Q. G4S have asked me to ask you whether, in light of your</p> <p>18 criticisms of the amount of staff swearing, how would</p> <p>19 you expect staff to respond to being the target of</p> <p>20 significant swearing by detainees?</p> <p>21 A. I'm sure that is very difficult. I'm sure that it is</p> <p>22 a very difficult job and I'm sure it's very unpleasant</p> <p>23 to be sworn at and yelled at by people who are</p> <p>24 frustrated and, more importantly, people who, actually,</p> <p>25 you don't really have any way of assisting them because</p> <p style="text-align: center;">Page 95</p>
<p>1 require them to write it down in English for somebody</p> <p>2 who they're not really sure who they are. So I think</p> <p>3 all of that makes it very, very hard.</p> <p>4 Q. You spoke earlier about phone translating services.</p> <p>5 Should interpreters be used more frequently -- I mean,</p> <p>6 human interpreters --</p> <p>7 A. Absolutely.</p> <p>8 Q. -- within the IRCs?</p> <p>9 A. Absolutely. I mean, I understand that Serco tries to</p> <p>10 overcome some of these issues with technology, so there</p> <p>11 are kiosks which I think a lot of stuff is available in</p> <p>12 multiple languages. But, I mean, the levels of literacy</p> <p>13 are low, and there's -- and because the levels of trust</p> <p>14 are low, I think speaking to somebody on the other end</p> <p>15 of a phone who you're not really sure who they are is</p> <p>16 just totally inadequate.</p> <p>17 Q. I am asked to ask you a few questions on behalf of G4S.</p> <p>18 If you go to your first report at 7.17, please, on</p> <p>19 page 36, you say:</p> <p>20 "More broadly, as noted already, the footage shows</p> <p>21 a completely unacceptable level of swearing among the</p> <p>22 staff. The language they use is coarse and aggressive,</p> <p>23 often sexist and sometimes racist or homophobic. They</p> <p>24 not only swear about the detained men, referring to them</p> <p>25 among themselves as 'cunts', 'twats' and 'fuckers', they</p> <p style="text-align: center;">Page 94</p>	<p>1 they're frustrated about their immigration case. But it</p> <p>2 still seems to me that, in a professional setting, all</p> <p>3 the staff could do was simply respond calmly, and so</p> <p>4 they just should never swear back.</p> <p>5 Q. A question I'm asked to ask is whether the national and</p> <p>6 racial makeup of the staff population, the majority</p> <p>7 being white British, where the detainees are</p> <p>8 self-evidently not British, and almost certainly the</p> <p>9 majority are not white, does that create, or risk</p> <p>10 creating, an "us and them" culture or divide?</p> <p>11 A. I think that's a very difficult question to answer --</p> <p>12 sorry to be an academic -- but you'd need some evidence</p> <p>13 to answer that question. It seems on its face that,</p> <p>14 yes, you might risk having more problems of racism in an</p> <p>15 institution where there's a massive distinction between</p> <p>16 officers and the detained population. However, in the</p> <p>17 research that I've done using a staff survey -- using</p> <p>18 a detainee survey called "Measuring the quality of life</p> <p>19 in detention", and also actually in HMIP reports, the</p> <p>20 institution which always scores the highest is Dungavel,</p> <p>21 which is in Scotland, which is entirely staffed by --</p> <p>22 well, more or less entirely staffed not only by white</p> <p>23 Scottish people but white Scottish people who are more</p> <p>24 or less from the same village. In that institution, the</p> <p>25 gap between the staff and the detained people doesn't</p> <p style="text-align: center;">Page 96</p>

<p>1 lead to this sort of behaviour. So, yes, I think there</p> <p>2 should be a more diverse staff complement, but it won't,</p> <p>3 in itself, fix the problem.</p> <p>4 Q. You found it difficult to answer the first question, but</p> <p>5 the lead-up or follow-up question is, does it lead, or</p> <p>6 risk leading, to the risk, therefore, of</p> <p>7 institutionalised racism? I suppose you would probably</p> <p>8 say "I can't answer that", or maybe you can? I don't</p> <p>9 know.</p> <p>10 A. I think it seems to me that, you know, partly what we</p> <p>11 are talking about in the inquiry is a form of</p> <p>12 institutionalised racism. So, you know, I think there</p> <p>13 is lots of contributing factors to it.</p> <p>14 Q. So not just the "us and them" which you found difficult,</p> <p>15 but what are the sort of factors that you think,</p> <p>16 therefore, make up the reason why an institution, an</p> <p>17 establishment like Brook House, does suffer</p> <p>18 institutionalised racism?</p> <p>19 A. Well, I think the purpose of it. I think the purpose of</p> <p>20 it -- this is also what Stephen Shaw said in his report</p> <p>21 on Oakington, is that if you make these institutions</p> <p>22 which are designed to expel foreigners, then -- and you</p> <p>23 do it in a kind of legal and social environment where</p> <p>24 there's a lot of talk about how foreigners are a big</p> <p>25 problem, then I think that you run the risk of creating</p> <p style="text-align: center;">Page 97</p>	<p>1 right to remain are actually not locked up in</p> <p>2 prison-like institutions. In fact, we handle them</p> <p>3 through reporting requirements and other alternatives to</p> <p>4 detention, and I think that that really is the solution,</p> <p>5 and I think that, you know, you could actually --</p> <p>6 I mean, I've said this in the report, and I know it is</p> <p>7 outside the terms of reference, but one of the things</p> <p>8 that the pandemic showed is that you don't need to lock</p> <p>9 people up. I mean, during the height of the pandemic,</p> <p>10 I think there were 400 people in detention. So there</p> <p>11 could be a concerted effort to actually handle people</p> <p>12 quite differently, and I think that would go a long way.</p> <p>13 Q. The inquiry has to work on the terms of reference, as</p> <p>14 you recognise, and can only make recommendations within</p> <p>15 those terms of reference. So let's imagine the</p> <p>16 Brook Houses of this world remain, and men are detained</p> <p>17 there in the sort of numbers that we saw during the</p> <p>18 relevant period, and that their racial makeup is of</p> <p>19 the kind that we saw during the relevant period. What's</p> <p>20 going to mitigate or avoid the effects of</p> <p>21 institutionalised racism in those institutions?</p> <p>22 A. Okay. So I think there are things that could be done,</p> <p>23 and I think that they would largely -- well, there's</p> <p>24 a whole laundry list of things that you could do. One</p> <p>25 thing that really needs to be done more of, I think, is</p> <p style="text-align: center;">Page 99</p>
<p>1 an institutionally-racist institution, no matter the</p> <p>2 fact that, you know, many people who work in it would</p> <p>3 not espouse racist views and would not be -- you know,</p> <p>4 not be motivated by that, and we always have to remember</p> <p>5 those people. I think the very purpose of creating</p> <p>6 prison-like institutions to remove foreigners raises</p> <p>7 that risk.</p> <p>8 Q. You presumably have in mind what Stephen Shaw said in</p> <p>9 the Oakington report which is <INQ000109> -- we don't</p> <p>10 have to put it up, it is page 4 -- it makes it</p> <p>11 a breeding ground for racist or abusive practice. Is</p> <p>12 that what you had in mind. Yes?</p> <p>13 A. Yes, I think it runs that risk. I guess what we then</p> <p>14 need to do is to try to understand some of</p> <p>15 the distinctions between the different centres and all</p> <p>16 the rest of it, but, yes, I think that, fundamentally,</p> <p>17 that's the danger.</p> <p>18 Q. What he said was the very purpose of immigration</p> <p>19 detention, together with wider effects of hostile</p> <p>20 environment, makes it a breeding ground for</p> <p>21 racist/abusive practice. What do you think can be done</p> <p>22 to avoid it? It's the \$64,000 question?</p> <p>23 A. I really think that -- I think that the problem rests in</p> <p>24 the custodial environment. I think that the vast</p> <p>25 majority of people who have, you know, exhausted their</p> <p style="text-align: center;">Page 98</p>	<p>1 to have these centres be much more transparent and much</p> <p>2 more open so there is a way -- in a kind of a bigger</p> <p>3 version of what seems to have happened on E wing, there</p> <p>4 is a way in which these places are out of sight, and</p> <p>5 I know they have monitors who go in, but, you know, they</p> <p>6 are still very difficult for people to get access to the</p> <p>7 everyday workings of these establishments, and I think</p> <p>8 that that is a mistake and that there should be much</p> <p>9 more engagement with not just civil society groups, but,</p> <p>10 you know, academics, visitors, whatever. I think they</p> <p>11 could be much more open. I also do think that there</p> <p>12 are -- I mean, maybe this is outside -- this is almost</p> <p>13 definitely outside the terms of reference, but, you</p> <p>14 know, I think thinking about policies that would reduce</p> <p>15 the size of the population would be very important, and</p> <p>16 the most obvious one for that is actually to introduce</p> <p>17 a time limit because that tends to reduce the size of</p> <p>18 the population.</p> <p>19 Brook House currently has far fewer people in it</p> <p>20 and, when we went on our visit, it was very quiet and</p> <p>21 there were lots of officers and they were being very</p> <p>22 helpful to the men who we saw.</p> <p>23 Then I think, you know, there needs to be a lot more</p> <p>24 effort made to try and facilitate people in detention</p> <p>25 availing themselves of their legal rights, and that</p> <p style="text-align: center;">Page 100</p>

<p>1 means much more, much better, access to lawyers and to 2 sort of legal advice. 3 They would be the starting issues. 4 Q. At your 8.7 in your first report at page 39, you say 5 that centre staff appeared to label young black men as 6 potential security threats, whereas older Asian men were 7 not. Do you think that might have led to the risk that 8 young black detainees were more vulnerable to 9 unjustified or excessive use of force interventions? 10 A. I mean, it did seem to have in the relevant period. 11 I mean, it was very noticeable in the actual BBC 12 Panorama show that there was, I think, a very 13 regrettable attempt to cast some -- even by the 14 television show, to cast some of the people in detention 15 as difficult and dangerous and then others, you know, as 16 deserving, more educated people, and that was quite 17 racialised. I think those logics -- I mean, I've seen 18 those logics exist in other detention centres. 19 Q. Then we have John Connolly, of course. You will well 20 remember the clip that was, I think, shown on the 21 Panorama programme -- we have seen it and listened to it 22 more than once here -- where John Connolly, the man 23 I spoke to you about earlier, who, according to 24 Callum Tulley, during a strip search had called 25 a detained man a "cunt", which he denied, but there we</p> <p style="text-align: right;">Page 101</p>	<p>1 does show the connection between racism and violence. 2 Q. A little further on, on the same day -- because these 3 officers, including Connolly, were on the stairwell for 4 some time. We know, if we look at the footage, that 5 there was a point in time where the imam, Mr Qayyum, 6 came down to speak to Connolly and some of the others, 7 and then he leaves. When he leaves, Connolly is heard 8 to say, "Massage my arse. Now -- right, now that cunt's 9 gone, just forget figure four, go straight into locks. 10 Right, now that cunt's gone, what'll happen is the 11 Nationals will be behind you, they will come up on that 12 end." 13 As I say, that's what he was saying about an imam 14 who worked within the establishment and someone that 15 Connolly knew. Do you think it is significant that 16 John Connolly used that kind of language to describe an 17 Asian member of staff, as well as racist language to 18 describe the protesting detainee in the same event? 19 A. Yes. 20 Q. Why do you think it is significant? 21 A. Well, I mean, the fact -- it shows he held racist views 22 and also the fact that he was in a position of authority 23 and he trained, you know, the staff below him, shows -- 24 or suggests, at any rate, that he would have been 25 communicating those views to other people and nobody</p> <p style="text-align: right;">Page 103</p>
<p>1 have, on 17 May, when a detainee, D275, is protesting on 2 the netting, advising Callum Tulley, when Callum Tulley 3 is asking him about a figure of four, which is a kind of 4 hold, "Just say, 'Listen here, nigger, listen to me'", 5 and one of the other officers laughs, "Do what you are 6 told, nigger", and then a little later on, in 7 a subsequent clip, Connolly says, "If he fucks up 8 everything, he's getting [something is missed] so watch 9 his -- fucking mash him up in the corner. You can't 10 find a rabbit in a corner. If we fuck up, he'll fucking 11 split, the fucker", and then, "We've got to push him 12 down with a stick on the side", and a little later, 13 "I want to fucking shove him down". 14 Here was, as I described him earlier, a man who had 15 been at Brook House for many years, a C&R instructor, 16 respected, in his middle years, eliding racism with the 17 use of illegitimate force on a man who, ultimately, was 18 taken off the netting by the National Tactical Response 19 Group who had to come in. What do you make of all of 20 that? 21 A. Yeah. I mean, it was an extremely violent way of 22 thinking about his job and the man in question, and it 23 definitely, I think, shows entirely inappropriate views 24 and suggests that there was a potential for, you know, 25 entirely inappropriate practices and that it -- and it</p> <p style="text-align: right;">Page 102</p>	<p>1 challenged him and, I mean, it does -- it does show 2 a kind of -- he didn't -- he obviously didn't think that 3 there was going to be -- that there would be any 4 consequences. 5 Q. No. But does it, do you think, show, as it were, 6 a pervasiveness, whereby, if an instructor uses words 7 like that, and ideas, about what's going to happen 8 during a use of force to much more junior officers, some 9 of whom are fairly new, that that itself perpetuates 10 that kind of macho, aggressive, racist culture? 11 A. I think that would be the risk, and, I mean, in the 12 evidence -- was it the Verita evidence? I know at 13 Tinsley House, the Hibiscus workers complained that when 14 they'd had some use of force training, I think it was 15 a different officer, that that officer had used 16 inappropriate language, and they did complain and that 17 was part of the record. But, I mean, that was precisely 18 their concern. 19 Q. Let me remind you what I told you about Owen Syred 20 before, who some time before had complained, and was -- 21 about racist language and was called a "nigger lover" 22 and was ostracised and himself harassed. What does it 23 say to you that that kind of language apparently was 24 never sanctioned, even after a complaint was made? 25 A. Well, it suggests that the senior management team were</p> <p style="text-align: right;">Page 104</p>

<p>1 not doing what they were meant to be doing.</p> <p>2 MR ALTMAN: Chair, it is 1.00 pm. Lunch time. 2.00 pm,</p> <p>3 please.</p> <p>4 THE CHAIR: Thank you, Mr Altman.</p> <p>5 (1.04 pm)</p> <p>6 (The short adjournment)</p> <p>7 (2.00 pm)</p> <p>8 MR ALTMAN: Professor Bosworth, can we move on now to one</p> <p>9 aspect of staff recruitment. At your first report, at</p> <p>10 5.1, page 27, you say:</p> <p>11 "As part of this inquiry into staff culture, I have</p> <p>12 been asked to comment on the appropriateness of staff</p> <p>13 recruitment, induction, and training, including with</p> <p>14 regard to detained persons' welfare. While these</p> <p>15 matters are primarily ones about process, they raise</p> <p>16 other questions about people's motivation for taking</p> <p>17 this kind of work, which may be relevant for</p> <p>18 understanding how they perform their tasks and view</p> <p>19 their role."</p> <p>20 At paragraph 5.3, you quote from an advertisement</p> <p>21 that you saw for the role on page 28. Do you</p> <p>22 consider -- this is a question G4S have asked me to</p> <p>23 ask -- the wording in the advert you quote from attracts</p> <p>24 the wrong or the right type of recruit? I'm not sure if</p> <p>25 we are being asked to ask you whether G4S could slightly</p> <p style="text-align: center;">Page 105</p>	<p>1 training packages well regarded or of a suitable</p> <p>2 standard within the custodial environment, or do you not</p> <p>3 know?</p> <p>4 A. I don't know, but I also think that's not really a very</p> <p>5 relevant question because IRCs are not prisons, and so</p> <p>6 they shouldn't be using training from a prison.</p> <p>7 Q. Moving on, then, to issues of Adults at Risk, and for</p> <p>8 this we go to your second report at paragraph 2.3 and</p> <p>9 onwards. At 2.4, you say in the supplementary materials</p> <p>10 you looked at there was little mention made of the AAR</p> <p>11 policy in place during the relevant period. What's your</p> <p>12 take on -- bearing in mind it was all in its infancy</p> <p>13 during the relevant period, so we have to be slightly</p> <p>14 mindful of that, but having borne that in mind, did you</p> <p>15 note a general lack of reference to, or awareness of,</p> <p>16 the AAR system within the G4S material?</p> <p>17 A. Well, yes, I think I say in this supplementary report,</p> <p>18 and I think I also mention it in the first one, that the</p> <p>19 terminology didn't really appear very frequently at all,</p> <p>20 if at all. I mean, they use other analogous terms, so</p> <p>21 Safer Custody is the kind of umbrella term, so they may</p> <p>22 well have been speaking about the Adults at Risk policy</p> <p>23 then, but it wasn't minuted and it wasn't referred to.</p> <p>24 Q. Do you think, if there was a lack of awareness of</p> <p>25 the Adults at Risk system or policy, that that was</p> <p style="text-align: center;">Page 107</p>
<p>1 revise their advertisement going forwards, but do you</p> <p>2 have any view about it?</p> <p>3 A. I mean, I don't know that I really do have a view about</p> <p>4 the effect of the wording. I mean, the wording includes</p> <p>5 terms that seem positive, like "listener" and</p> <p>6 "counsellor", although "peace keeper, I'm slightly less</p> <p>7 clear about what they're getting at there.</p> <p>8 I think -- I mean, this was not the wording of</p> <p>9 the ad, I don't think, that would have been in place</p> <p>10 when the people were recruited. I couldn't find the</p> <p>11 wording of the ad in 2017, so I don't know how much it's</p> <p>12 changed. I guess one of the things that quite a few of</p> <p>13 the officers say is they didn't necessarily know what</p> <p>14 they were getting themselves into --</p> <p>15 Q. Letting themselves in for, yes.</p> <p>16 A. -- so it is a little unclear whether this wording is</p> <p>17 particularly transparent about that. I mean, I think</p> <p>18 the wording seems fine.</p> <p>19 Q. At 5.5, under "Staff training", in the second sentence:</p> <p>20 "Many of the training documents I have consulted</p> <p>21 have been copied from prison staff training packages</p> <p>22 designed by the National Offender Manager Service</p> <p>23 (NOMS)."</p> <p>24 You give examples of that, including mental health,</p> <p>25 suicide, self-harm. The question is, are the NOMS</p> <p style="text-align: center;">Page 106</p>	<p>1 indicative, perhaps, of a lack of priority given to the</p> <p>2 issue of detainee vulnerability and welfare within the</p> <p>3 contractual relationship between the Home Office and</p> <p>4 G4S?</p> <p>5 A. I'm not sure that I can really speak to that. I mean,</p> <p>6 I think it was -- the relevant period was in the very</p> <p>7 early stages of the Adults at Risk policy</p> <p>8 implementation, and so, I mean, there was obviously</p> <p>9 a lag in implementing it. Why that lag wasn't caught by</p> <p>10 the Home Office contract monitors and also by the SMT is</p> <p>11 a question I can't answer.</p> <p>12 Q. You will remember this: the Verita report -- let's just</p> <p>13 put it up briefly, please, <CJS005923> at page 241.</p> <p>14 Paragraph 14.39 at the bottom:</p> <p>15 "The former director told us that Home Office</p> <p>16 managers he dealt with during his time running</p> <p>17 Brook House ..."</p> <p>18 So he is talking about Ben Saunders here:</p> <p>19 "... up to September 2017 had been primarily</p> <p>20 concerned with how G4S supported the immigration removal</p> <p>21 process."</p> <p>22 If we go to the next page, please, at the top,</p> <p>23 14.40:</p> <p>24 "We interviewed the former Home Office contract</p> <p>25 manager who left at the end of 2017. He appeared to</p> <p style="text-align: center;">Page 108</p>

27 (Pages 105 to 108)

<p>1 concede that during his time in the role, when there had 2 not been a separate service delivery team, his priority 3 and that of those he reported to had been with delivery 4 of elements of the contract that supported the removals 5 process, such as the requirements that detainees be 6 presented within specified times for meetings with the 7 Home Office and for legal hearings, for transfers and 8 removals."</p> <p>9 Then at 14.41: 10 "The Home Office service delivery manager ... also 11 acknowledged that the Home Office had been more focused 12 on those aspects of the contract with G4S that supported 13 the delivery of immigration objectives."</p> <p>14 So this part of the report is very much in the same 15 vein. If we go to the next page, probably page 244, 16 please, at the top, 14.46: 17 "We believe they should take greater responsibility 18 than they appear to have done in the past for monitoring 19 the overall experience of detainees at Brook House and 20 whether G4S is providing detainees with enough to occupy 21 their time and are adequately ensuring the overall 22 welfare of detainees."</p> <p>23 So the focus of this part of the report and of some 24 of the evidence we have heard is, there was -- the 25 contract focused far too much on contract delivery and</p> <p style="text-align: center;">Page 109</p>	<p>1 from the very start.</p> <p>2 Q. Do you have a view about whether the mixed detainee 3 population on E wing, in other words, the collocation of 4 the vulnerable and the refractory, do you have a view 5 about whether that mixture impacted on the treatment of 6 vulnerable individuals who were accommodated on E wing?</p> <p>7 A. I'm not sure we should call them "refractory", but -- 8 Q. Well, that's the term in the rules. 9 A. I know. Yes. I mean, I think putting people together 10 who are vulnerable and anxious and mentally unwell with 11 people who are vulnerable and angry, if that's what 12 "refractory" means, I think that obviously makes it very 13 difficult for both groups, and for the officers who are 14 there to look after them.</p> <p>15 Q. What about those who are vulnerable who are put there 16 and those who are refractory but not vulnerable, just 17 difficult and disruptive?</p> <p>18 A. Yeah, I'm not sure why they would put those people in 19 the same space.</p> <p>20 Q. We know E wing was used as a staging post for removal. 21 Do you have a view about that?</p> <p>22 A. Well, I mean, I think -- so IRCs are there to facilitate 23 removal, and if you don't move somebody out of a regular 24 housing unit and put them somewhere in preparation for 25 that, then you have to get them out of the housing unit,</p> <p style="text-align: center;">Page 111</p>
<p>1 not at all, or very little, on the welfare of detainees.</p> <p>2 You say, as we saw, at 2.9 and 2.11 of your second 3 report, that the official AAR policy was in place during 4 the relevant period but it was unfamiliar and not widely 5 understood. Do you think it is indicative of 6 a disconnect between statements of policy and guidance 7 and the Detention Services Orders and the reality of 8 implementation and practice of such safeguards on the 9 ground?</p> <p>10 A. A short answer to that is, it seems to be. A slightly 11 longer answer to that, I think, would be that the 12 Home Office and G4S, in this case, I think have slightly 13 different roles to play, and -- insofar as the 14 Home Office is there for immigration control and G4S is 15 there for custody. And I think that one of the things 16 that happens with detention centres is that that split 17 of responsibility can lead to these sorts of problems, 18 and so the purpose of detention for the Home Office is, 19 in fact, to facilitate removal, basically, and whereas, 20 for G4S, it's to offer a safe and dignified custodial 21 experience.</p> <p>22 So it's -- I think that, too often, the Home Office 23 is actually separate from these sorts of discussions, 24 and in this case it does seem to have meant that the 25 Adults at Risk policy wasn't implemented effectively</p> <p style="text-align: center;">Page 110</p>	<p>1 and one of the other characteristics of IRCs is that -- 2 you know, what people refer to as "arrivals and 3 departures" happen 24 hours a day. So you may well be 4 collecting somebody for a deportation flight in the 5 middle of the night, and so, clearly, that's going to be 6 frightening and disruptive for the person and also for 7 people around that person. So I can see the logic for 8 the centre. I think it's largely administrative 9 convenience, but mixing those people with other people 10 who are mentally unwell, that seems to be a very 11 unwise ...</p> <p>12 Q. I think we were told that the reason E wing was used was 13 because it had a door to the outside where the van could 14 come and pick up people who were going to be 15 transferred. Did you realise that?</p> <p>16 A. No. I mean, my understanding of this is that the 17 officers would collect somebody from their room and then 18 they have to take them down to the -- what's called the 19 reception area, and then the escort agents collect them 20 from the reception area. So there is normally a second 21 place where they have to go, whether they come from 22 E wing or somewhere else.</p> <p>23 Q. That was your understanding. Unless I have 24 misremembered it, I'm fairly confident that we were told 25 that, if not by Callum Tulley, then certainly others.</p> <p style="text-align: center;">Page 112</p>

<p>1 A. That they were taken directly to the van?</p> <p>2 Q. No, that E wing was a convenient place to house men who</p> <p>3 were about to be removed by the escorts because there</p> <p>4 was a door to the outside of the building, so it was</p> <p>5 a convenience, as much as anything else.</p> <p>6 We have heard quite a bit of evidence about the use</p> <p>7 or misuse of segregation as a means to manage mental</p> <p>8 illness: Dr Bingham, by way of example. Do you consider</p> <p>9 that that fits very well with or reflects wider staff</p> <p>10 attitudes towards the care and management of vulnerable</p> <p>11 detainees?</p> <p>12 A. I think that custodial institutions quite often still</p> <p>13 persist in placing vulnerable and self-harming</p> <p>14 individuals in segregation, and I think there's been</p> <p>15 a concerted effort for many years to -- you know, across</p> <p>16 all different forms of custodial institutions to</p> <p>17 persuade them to do otherwise.</p> <p>18 I think that it does suggest a sort of lack of care</p> <p>19 of the detained individual. It also probably suggests</p> <p>20 a lack of alternatives and effective ways of helping</p> <p>21 those people. But it is a bit unclear to me, in a place</p> <p>22 like Brook House, if you have such mentally unwell</p> <p>23 people, how you would meaningfully care for them in that</p> <p>24 kind of side of custody.</p> <p>25 Q. Do you have any views about whether the ACDT process at</p> <p style="text-align: center;">Page 113</p>	<p>1 contract, GSL bid for it saying they would hold people</p> <p>2 for 72 hours. I have never understood that because</p> <p>3 I don't understand why you would build a category B</p> <p>4 prison designed to hold people for 72 hours.</p> <p>5 Q. Are you saying, if that was the understanding, it can't</p> <p>6 be right because there's no point in building</p> <p>7 a category B prison?</p> <p>8 A. Yes. I mean, and also because Colnbrook, which was</p> <p>9 already open, was also a category B, and it was never</p> <p>10 designed just for 72 hours. I know that that's in the</p> <p>11 evidence and this is -- it seems to have been written</p> <p>12 into the original contract, but it doesn't really make</p> <p>13 much sense.</p> <p>14 Q. I have already asked you about aspects of those officers</p> <p>15 who expressed themselves in terms of mentally ill</p> <p>16 detainees being attention seeking or manipulative.</p> <p>17 Dr Paterson, if we go back to his statement, please,</p> <p>18 <BHM000045> at page 21 -- chair, it's your supplementary</p> <p>19 bundle tab 6 -- paragraphs 93 and 94. He speaks of:</p> <p>20 "Exposure of staff to distressed, dysregulated,</p> <p>21 self-harming, suicidal or violent behaviour (including</p> <p>22 involvement in restraint, seclusion, and compulsory</p> <p>23 medication) may result in trauma for all those directly</p> <p>24 involved or vicariously exposed, including staff ..."</p> <p>25 Then, at 94, he talks about:</p> <p style="text-align: center;">Page 115</p>
<p>1 Brook House during the period was being run as</p> <p>2 a prison-based risk management process with little</p> <p>3 clinical input?</p> <p>4 A. So the ACDT process is based on the ACCT process from</p> <p>5 prison. So it is another one of these examples of</p> <p>6 a policy that's just been brought over. So, yes.</p> <p>7 Q. Do you have a view whether the healthcare's lack of</p> <p>8 involvement in this is indicative of the Home Office or</p> <p>9 G4S's prioritisation of effecting immigration control and</p> <p>10 cost saving?</p> <p>11 A. The lack of healthcare involvement in the ACDT?</p> <p>12 Q. Yes.</p> <p>13 A. I don't really have a view on that because the ACDT</p> <p>14 process is a system-wide process, so it's not exactly up</p> <p>15 to G4S in any case. It's just the form that's used.</p> <p>16 Q. In the end, do you think Brook House, as an environment,</p> <p>17 or as a structure, was designed to hold mentally ill</p> <p>18 people?</p> <p>19 A. No.</p> <p>20 Q. You have already, I think, made clear your view that it</p> <p>21 wasn't -- it was designed to be -- I think this is what</p> <p>22 you said -- a short-term holding facility, or at least</p> <p>23 that's what people say it was designed to be?</p> <p>24 A. Well, I mean, I understand, I think it was Lee Hanford</p> <p>25 and somebody else had said that, in the original</p> <p style="text-align: center;">Page 114</p>	<p>1 "... despair and helplessness may turn all too</p> <p>2 readily into anger, frustration to aggression, and fear</p> <p>3 into resentment. In extremis, we see the development of</p> <p>4 'malignant alienation' ... Those charged with guarding</p> <p>5 the welfare of the vulnerable, instead of acting to</p> <p>6 prevent suicide or self-harm, lost in frustration, rage</p> <p>7 and hatred seek instead to inspire it."</p> <p>8 Did you see any evidence of inspiration of self-harm</p> <p>9 or attempted suicide in anything that you read or</p> <p>10 watched?</p> <p>11 A. No, not directly. I mean, I think the only way you</p> <p>12 could extrapolate that would be to think that the</p> <p>13 language that was used towards the detained population</p> <p>14 and the sort of hostility that sometimes was shown in</p> <p>15 the footage of staff in the officers being very short</p> <p>16 with people, that that could be a sort of muted version</p> <p>17 of this. I think what Dr Paterson here is talking about</p> <p>18 is secondary trauma. This is what I was referring to</p> <p>19 before. So the officers are affected by what they see.</p> <p>20 But, no, I don't think they were inspiring people to</p> <p>21 take their own lives.</p> <p>22 Q. Do you think there's any significance in the fact that</p> <p>23 staff members who were implicated in the culture and the</p> <p>24 abuse of detainees -- Yan Paschali, for example --</p> <p>25 worked a lot on E wing, were often the very same charged</p> <p style="text-align: center;">Page 116</p>

<p>1 with undertaking ACDT observations for their welfare?</p> <p>2 Do you think there's a disconnect between the two or</p> <p>3 a connection?</p> <p>4 A. Well, I suppose this description by Dr Paterson would</p> <p>5 simply be asking us to consider that, if these officers</p> <p>6 are having to deal a lot with highly distressed people,</p> <p>7 so distressed that they're on a constant watch, that</p> <p>8 that will be affecting the officers themselves. So,</p> <p>9 yes, that seems to me to be plausible.</p> <p>10 Q. Another related issue. We heard from Sandra Calver, and</p> <p>11 when she gave evidence, amongst other things that she</p> <p>12 said -- she was the head of healthcare at the relevant</p> <p>13 time -- that she wasn't confident that clinical staff</p> <p>14 could identify signs of trauma because they didn't have</p> <p>15 sufficient training on PTSD, and neither did healthcare</p> <p>16 receive sufficient training on identifying mental</p> <p>17 disorder or deterioration. How do you consider this</p> <p>18 speaks to the culture of Brook House, that even those</p> <p>19 expressly tasked with safeguarding vulnerable detainees</p> <p>20 didn't have sufficient training or awareness?</p> <p>21 A. Well, I think it's a matter of grave concern, that if</p> <p>22 they knew that they had people with those needs, that</p> <p>23 they should have been trained to deal with them.</p> <p>24 Q. Do you think it signifies that low priority was afforded</p> <p>25 to detainee vulnerability within Brook House?</p> <p style="text-align: center;">Page 117</p>	<p>1 of Borders and Immigration (ICIBI). In responding to</p> <p>2 the inspector's first review, the then Director-General</p> <p>3 of Immigration Enforcement acknowledged concerns that</p> <p>4 existed in such areas as clarity of roles, quality of</p> <p>5 discussion within case progression panels, and overall</p> <p>6 quality of decision making. An action plan was put in</p> <p>7 place to address those issues. I look forward to</p> <p>8 reading the ICIBI's second review, which has now been</p> <p>9 published."</p> <p>10 As it was in October last year. In that review --</p> <p>11 I am going to resist putting it up on screen, but at</p> <p>12 paragraph 3.3, and, for the record, it is <INQ000156>,</p> <p>13 the report reads:</p> <p>14 "More broadly, genuine concerns about vulnerability</p> <p>15 were intentioned with a widely held view within the</p> <p>16 Home Office that the safeguarding mechanisms used to</p> <p>17 identify and protect vulnerable detainees were, and are,</p> <p>18 being abused."</p> <p>19 The paragraph goes on. Then at 3.4:</p> <p>20 "Progress towards the implementation of the accepted</p> <p>21 recommendations from the first inspection had been slow</p> <p>22 and limited. Work to improve conditions for immigration</p> <p>23 detainees held in prisons had not advanced beyond the</p> <p>24 scoping stage and the introduction of a pilot to test an</p> <p>25 enhanced screening tool for vulnerability, the design of</p> <p style="text-align: center;">Page 119</p>
<p>1 A. It seems to, yes.</p> <p>2 Q. We are going to hear from Philip Riley, who is the</p> <p>3 corporate witness for the Home Office, and he is going</p> <p>4 to come and give evidence next Monday. He made</p> <p>5 a witness statement -- perhaps we can put this up on</p> <p>6 screen -- <HOM0332005>. Chair, you should find this</p> <p>7 behind tab 25 of your supplementary bundle. Can we go</p> <p>8 to page 16, please. At paragraph 51 at the bottom, he</p> <p>9 says:</p> <p>10 "I would defer to the assessment of experts in their</p> <p>11 assessment of the Adults at Risk policy's effectiveness.</p> <p>12 Any assessment of its effectiveness at Brook House</p> <p>13 during the relevant period will, to some degree, be</p> <p>14 stymied by the benefit of hindsight, and would need to</p> <p>15 be cognisant that the policy was in its infancy during</p> <p>16 that time. I note that the IMB's report for 2017</p> <p>17 offered a balanced view on the nascent policy. More</p> <p>18 recently, in his second report on immigration detention,</p> <p>19 Stephen Shaw acknowledged the genuine focus on</p> <p>20 vulnerability that the AAR policy had fostered and</p> <p>21 commented that it would be 'folly' to abandon it.</p> <p>22 Clearly, there may be room for improvement in the</p> <p>23 operation of the Adults at Risk policy, including at</p> <p>24 Brook House. The operation of Adults at Risk is subject</p> <p>25 to annual inspection by the Independent Chief Inspector</p> <p style="text-align: center;">Page 118</p>	<p>1 which had attracted criticism from stakeholders, had</p> <p>2 been suspended as a result of the COVID-19 pandemic."</p> <p>3 There is more to paragraph 3.4 than that.</p> <p>4 At 4.1, which is the first paragraph under the</p> <p>5 heading "Recommendations":</p> <p>6 "Without further delays, implement the</p> <p>7 recommendations from previous reviews and reports about</p> <p>8 the 'Adults at Risk in immigration detention' policy (by</p> <p>9 Stephen Shaw, ICIBI and other statutory bodies),</p> <p>10 producing a revised timetable for this work and</p> <p>11 resourcing it so that it is completed during 2021-22, or</p> <p>12 if this is not possible, by a specified later date, and</p> <p>13 including in this process related recommendations from</p> <p>14 ICIBI reports concerning Non-detained Vulnerable Adults,</p> <p>15 and Reporting and Offender Management."</p> <p>16 Does it concern you that, even now, several years</p> <p>17 later, the Home Office is only just putting in place an</p> <p>18 action plan to address issues following an annual</p> <p>19 inspection by the ICIBI?</p> <p>20 A. Yes.</p> <p>21 Q. I mean, I didn't ask you at the time, but you mentioned</p> <p>22 the Oakington report. How much of that has been</p> <p>23 implemented? And that was 2005.</p> <p>24 A. Yeah, I mean, I think one of the -- I mean, I think one</p> <p>25 of the things that happens in the policy arena in this</p> <p style="text-align: center;">Page 120</p>

<p>1 field is that we tend to go round and round in circles</p> <p>2 a bit, and it is not as though – I think there's a lot</p> <p>3 of repeated calls for things to happen, and they</p> <p>4 don't – they often don't get implemented, which, again,</p> <p>5 I think, reminds us that, while here – we are here to</p> <p>6 talk about Brook House and we have to talk about</p> <p>7 Brook House, also this is in a wider kind of landscape,</p> <p>8 and I think, you know, there are really significant</p> <p>9 questions that continue to be asked about whether it's</p> <p>10 actually possible to safely hold vulnerable adults in</p> <p>11 detention.</p> <p>12 Q. If we go back a few months and look at the IMB's report</p> <p>13 published in May 2021 in relation to the period</p> <p>14 1 January to the end of December 2020, and perhaps we</p> <p>15 can put this one up on screen, <IMB000202>. If we put</p> <p>16 up the first page, we can see the published date and the</p> <p>17 reporting year. Then, please, can we go to page 10.</p> <p>18 For part of this period, of course, Serco have been in</p> <p>19 post, G4S having given up the contract in favour of</p> <p>20 Serco, I think in May 2020. Under 4.2, "Suicide and</p> <p>21 self-harm":</p> <p>22 "While Brook House is accustomed to distress among</p> <p>23 detainees, the substantial number of cases of self-harm</p> <p>24 and threats of suicide by detainees in the latter part</p> <p>25 of 2020 has been a major concern for the board and</p> <p style="text-align: center;">Page 121</p>	<p>1 reasons are given in this report as to why these</p> <p>2 incidents of self-harm and threats of suicide were on</p> <p>3 the increase, nonetheless, did you have concerns that</p> <p>4 the IMB should be reporting this three years after, four</p> <p>5 years after, the events that this inquiry is dealing</p> <p>6 with?</p> <p>7 A. I mean, certainly I have concerns. I think the issues</p> <p>8 that are evident in these – in this set of examples are</p> <p>9 probably distinct from the issues that were evident in</p> <p>10 the relevant period. I think that -- you know, they</p> <p>11 explain it very persuasively, that this was about how</p> <p>12 Brook House was being used for a particular population</p> <p>13 of asylum seekers, and so -- I mean, this is, again, one</p> <p>14 of the complexities of IRCs, is that they can be used</p> <p>15 and deployed in quite different ways for different</p> <p>16 populations, but the populations, the one thing they</p> <p>17 have in common, other than their lack of British</p> <p>18 citizenship, is often a heightened level of</p> <p>19 vulnerability. So these people have come across on</p> <p>20 small boats. They are obviously extremely vulnerable.</p> <p>21 And all the custodial officers can do is put in place</p> <p>22 the ACDT policy because, once they are detained, they</p> <p>23 just have to deal with them.</p> <p>24 So that's -- I mean, I'm not quite sure what the</p> <p>25 question is, because, I mean, that's the only tool they</p> <p style="text-align: center;">Page 123</p>
<p>1 everyone in the centre. This is clearly illustrated in</p> <p>2 the chart below ..."</p> <p>3 It then deals with ACDTs being used "to monitor the</p> <p>4 welfare of detainees when there is a concern that they</p> <p>5 are at risk, typically of suicide or self-harm or from</p> <p>6 a medical condition."</p> <p>7 Then below that:</p> <p>8 "Statistics from the second half of the year show</p> <p>9 a strong correlation of increased incidence of ACDTs,</p> <p>10 acts of self-harm and suicidal ideation with the change</p> <p>11 in population and the concentrated charter flight</p> <p>12 programme. Incidents of self-harm increased sharply</p> <p>13 in August and only reduced in December, with the</p> <p>14 wind-down of charter flights and subsequent release of</p> <p>15 most detainees."</p> <p>16 Then over the page:</p> <p>17 "It is the board's view that the significant</p> <p>18 increase in self-harm and suicide risk is directly</p> <p>19 linked to the higher level of vulnerability of</p> <p>20 the small-boat population and the intensive programme of</p> <p>21 Dublin Convention charter flights.</p> <p>22 "The response to serious incidents of self-harm and</p> <p>23 threats of suicide was often constant supervision by</p> <p>24 officers to prevent further harm."</p> <p>25 There is a reference to the table below. Although</p> <p style="text-align: center;">Page 122</p>	<p>1 have, and it is obviously an inadequate tool, but the</p> <p>2 problem is well before the person gets to detention,</p> <p>3 that, you know, they presumably shouldn't have been</p> <p>4 putting people off the small boats into detention.</p> <p>5 Q. Then it comes back to your "wider than the remit"</p> <p>6 thesis, which is, they shouldn't be in detention in the</p> <p>7 first place?</p> <p>8 A. Yes.</p> <p>9 Q. Which brings me to this, because we have heard lots of</p> <p>10 evidence, and a statement from Professor Katona, which</p> <p>11 you may have looked at, also says that IRCs are not an</p> <p>12 appropriate therapeutic setting to accommodate</p> <p>13 vulnerable detainees due to the nature of the IRC</p> <p>14 environment and the lack of specialist mental health</p> <p>15 resources, with which presumably you agree?</p> <p>16 A. That's right.</p> <p>17 Q. At 6.9 of your first report, on page 32, you say in the</p> <p>18 second sentence:</p> <p>19 "G4S has shared with the inquiry a vast amount of</p> <p>20 paperwork and regulations pertaining to day-to-day</p> <p>21 operations. These range from guidelines concerning</p> <p>22 temporary confinement, induction processes, E wing</p> <p>23 policy, to documents about preventing corruption and</p> <p>24 staff wrongdoing, and safeguarding. There was a drug</p> <p>25 and alcohol policy, and information about daily cleaning</p> <p style="text-align: center;">Page 124</p>

<p>1 logs."</p> <p>2 You say:</p> <p>3 "There are also multiple Home Office orders and</p> <p>4 guidance all of which are transposed into local</p> <p>5 processes."</p> <p>6 Presumably, here you're referring exclusively to</p> <p>7 paper-based policies and guidance documents?</p> <p>8 A. Yes. So, I mean, G4S had all the paperwork in order,</p> <p>9 I mean, as far as I can judge. So they had policies in</p> <p>10 place in which they explicitly guided their officers to</p> <p>11 act in a certain way. But those policies don't seem to</p> <p>12 have prevented what happened. So that's the point I'm</p> <p>13 trying to make. I think that that raises questions</p> <p>14 about how those policies are communicated and how they</p> <p>15 are accepted and adopted by people actually doing the</p> <p>16 job.</p> <p>17 Q. You say that at 6.10:</p> <p>18 "All this material demonstrates that Brook House had</p> <p>19 processes in place that should have prevented the kinds</p> <p>20 of behaviour evident on BBC Panorama. However, it is</p> <p>21 unclear how such documentation is communicated to staff</p> <p>22 and monitored. The sheer length of some of</p> <p>23 the documents suggests that there may have been little</p> <p>24 expectation of them being read by anyone other than</p> <p>25 their author."</p> <p style="text-align: center;">Page 125</p>	<p>1 of long, technical policies need to be translated into</p> <p>2 documents and also, I guess, training and discussion</p> <p>3 that regular, everyday people can understand.</p> <p>4 Q. If you have a very lengthy policy document, would</p> <p>5 reducing it into sound bites which people could</p> <p>6 understand, those, in other words, who have to apply</p> <p>7 them at the coalface, would that help, do you think?</p> <p>8 A. I think it could help. I mean, I think it would</p> <p>9 certainly be better than having a list of documents that</p> <p>10 nobody is paying any attention to other than -- I mean,</p> <p>11 I think this also speaks a bit to the distinction</p> <p>12 between the SMT level of staff and then the DCO level of</p> <p>13 staff, because, for the SMTs, this is what they do, you</p> <p>14 know, they have to make all these policies, and it is</p> <p>15 right that they make them, but unless they are somehow</p> <p>16 translated into the people who are, you know, "on the</p> <p>17 shop floor", as people often refer to their job, then</p> <p>18 they are not really doing --</p> <p>19 Q. It is just paper then, isn't it?</p> <p>20 A. Yes.</p> <p>21 Q. Let me move on to the role of external agencies. I am</p> <p>22 asked to ask you some questions on behalf of the IMB, if</p> <p>23 I may. If you can go back to your first report at 10.9,</p> <p>24 please. You say there that the Brook House IMB</p> <p>25 committee was made up of nine members, one of whom would</p> <p style="text-align: center;">Page 127</p>
<p>1 So what's the point of them?</p> <p>2 A. Well, I mean, I think that's a good question. I mean,</p> <p>3 you do -- obviously any institution has to have</p> <p>4 governing -- documents to govern them and documents to</p> <p>5 set out the policies. But I think what is the next</p> <p>6 crucial step is trying to find a way of communicating</p> <p>7 those documents to all parties so that people can not</p> <p>8 just understand them, but also, you know, contribute to</p> <p>9 them, feed into them, believe in them, and I think</p> <p>10 there's a role there -- obviously a very key role there</p> <p>11 for officers, there's also potentially a role there for</p> <p>12 the detained population to be made aware of what the</p> <p>13 policies are so they can know about them too.</p> <p>14 Q. What are the new ways? What would you advise?</p> <p>15 A. I think I set out some suggestions in my supplementary</p> <p>16 report, where I suggest that -- I mean, I pay more</p> <p>17 attention there to trying to communicate some of these</p> <p>18 guidance documents to the detained population so that</p> <p>19 the detained population can know what their rights are</p> <p>20 but also what the sort of local policy is around, for</p> <p>21 instance, drug and alcohol policy. Because they</p> <p>22 probably don't know what it is and, if they were told,</p> <p>23 then maybe they would try to avail themselves of some</p> <p>24 assistance if, indeed, they had a drug or alcohol</p> <p>25 problem. So I think there is a way in which these kinds</p> <p style="text-align: center;">Page 126</p>	<p>1 visit Brook House at least once a week. You say that in</p> <p>2 the year 2016/17, the chair, Mrs Colbran, had been in</p> <p>3 post since 2006. Then you go on to say:</p> <p>4 "In their reports, IMB members record that they</p> <p>5 walked around the facility and checked for complaints</p> <p>6 forms. They talked to officers and to people who were</p> <p>7 detained while monitoring the general state of</p> <p>8 cleanliness."</p> <p>9 It is this, I think, which the IMB are asking you to</p> <p>10 reconsider:</p> <p>11 "IMB members sat on a variety of centre committees</p> <p>12 and held regular meetings with members of the SMT."</p> <p>13 Do you now accept, having reviewed that paragraph</p> <p>14 and that sentence, that IMB members had an open</p> <p>15 invitation to attend non-IMB meetings and committees to</p> <p>16 observe but they didn't sit on those committees?</p> <p>17 A. Yes.</p> <p>18 Q. At 10.11, over the page, on 46:</p> <p>19 "There were some issues in Brook House that clearly</p> <p>20 concerned the IMB."</p> <p>21 You say:</p> <p>22 "On the week commencing 19 June 2017, for example,</p> <p>23 Ms Mary Molyneux noted the uncomfortable heat on the</p> <p>24 housing units. Nearly one month later, on 17 July,</p> <p>25 Mr Dick Weber wrote up concerns about a lack of</p> <p style="text-align: center;">Page 128</p>

<p>1 cleanliness and disorder."</p> <p>2 So did you accept, when you look at those sorts of</p> <p>3 things, that the IMB noted and raised with G4S</p> <p>4 management and Home Office a wider range of issues than</p> <p>5 those identified within just that paragraph? In other</p> <p>6 words, their remit was much wider than --</p> <p>7 A. Yes, no, I do, and I apologise for making -- seeming as</p> <p>8 though -- I was trying to synthesise a huge amount of</p> <p>9 material, but yes.</p> <p>10 Q. I'm going to take this reasonably shortly, and I hope</p> <p>11 I can be forgiven for doing so. At 10.12, you deal with</p> <p>12 some of the documents submitted by IMB members, which</p> <p>13 include criticism of the detained men. So you give, by</p> <p>14 way of example, something Dick Weber wrote on</p> <p>15 8 May 2017, when he reported that "he was approached by</p> <p>16 someone for help who 'did not impress me as being in the</p> <p>17 least reasonable in his approach' but [he said] 'there</p> <p>18 is some reason for disquiet over the nature and timing</p> <p>19 of the response he received'."</p> <p>20 You say the form doesn't make clear whether Mr Weber</p> <p>21 recorded a complaint or pursued the man's case. Now,</p> <p>22 the IMB has referred you to, and I think you have</p> <p>23 probably looked at, a series of documents. I'm not</p> <p>24 going to go through them.</p> <p>25 A. Yes.</p> <p style="text-align: center;">Page 129</p>	<p>1 while on the week commencing 8 August, she described</p> <p>2 a cleaner as "very lazy".</p> <p>3 And the IMB -- because you will have seen this -- as</p> <p>4 it were, take you to task on singling out certain words</p> <p>5 as -- because they are in quote marks, as having</p> <p>6 particular significance. In particular, also, you</p> <p>7 referred to Ms Molyneux's words in another document</p> <p>8 where she put quote marks around the word "protest",</p> <p>9 which you felt dismissed the man's claims when</p> <p>10 Ms Molyneux had written up that they were protesting</p> <p>11 about food.</p> <p>12 I'm globalising it because we haven't got the time</p> <p>13 to go through all of these things individually, and, in</p> <p>14 the end, how much they matter, I don't really know. But</p> <p>15 what do you say about all of that?</p> <p>16 A. So I accept with Mary Molyneux's -- I went back and</p> <p>17 I re-read it and it was clear to me that she was, in</p> <p>18 fact, quoting somebody --</p> <p>19 Q. Sorry, which one are you --</p> <p>20 A. The last one --</p> <p>21 Q. Protesting about food?</p> <p>22 A. -- where I said that this was apparently something</p> <p>23 somebody had told her. I think, again -- so I was wrong</p> <p>24 in that case. But I think, again, there was a sort of</p> <p>25 general question around record keeping, because there</p> <p style="text-align: center;">Page 131</p>
<p>1 Q. But are you prepared to accept that, whatever</p> <p>2 reservations Mr Weber may have had about the individual,</p> <p>3 are you satisfied he and the IMB did, in fact, record</p> <p>4 and pursue that man's complaint?</p> <p>5 A. Yes, I am. I suppose I would say two things, though.</p> <p>6 Because I was being asked to look at staff culture,</p> <p>7 I was surprised to see a sort of formal record of that</p> <p>8 kind of view about a detained person in the records</p> <p>9 produced by the monitoring body. That concerned me.</p> <p>10 And then, although, yes, when I went to look at the</p> <p>11 logbook, it was clear that he had -- indeed, Mr Weber</p> <p>12 had done a series of things to pursue this man's case,</p> <p>13 there was a sort of wider issue around the record</p> <p>14 keeping, and so the logbook, that particular logbook in</p> <p>15 question, was all handwritten, so there would have been</p> <p>16 no way to cross-check particularly easily. In terms of</p> <p>17 their role as a monitoring body, I think those two</p> <p>18 issues were actually quite important.</p> <p>19 Q. The other issue I'm going to take pretty shortly is in</p> <p>20 the next paragraph at 10.13, where you refer to some of</p> <p>21 the writings in various IMB reports. So you refer to</p> <p>22 Ms Markwick describing a man who "had a hissy fit";</p> <p>23 certain months earlier, in a report for the week</p> <p>24 of April 24, she referred to a detained man on E wing as</p> <p>25 a "miscreant"; a group of men on B wing as "demanding";</p> <p style="text-align: center;">Page 130</p>	<p>1 were other records where people used quotation marks and</p> <p>2 they did not seem to be quotations, they seemed to be</p> <p>3 emphasising the words. So that was the explanation for</p> <p>4 why I misunderstood Mary Molyneux.</p> <p>5 The other examples, I think they are of concern for</p> <p>6 a monitoring body to be using those sorts of pejorative,</p> <p>7 judgmental terms about the detained population, and</p> <p>8 describing the cleaner as "very lazy", you know, that</p> <p>9 would seem to me to be -- I know the rest of</p> <p>10 the sentence was about how he spent most of the day in</p> <p>11 his cell, in his bedroom, but, actually, I think that</p> <p>12 interpretation of him as "very lazy" overlooks other</p> <p>13 possible interpretations which I would have thought the</p> <p>14 IMB would have known about, which was, you know, maybe</p> <p>15 he was afraid of coming out of his cell, maybe he was</p> <p>16 depressed, maybe he had PTSD, maybe he wasn't sleeping</p> <p>17 well at night. I guess a whole series of reasons why</p> <p>18 people keep odd hours in a detention centre environment,</p> <p>19 and so, to attribute it to laziness, I think does</p> <p>20 reflect something of concern.</p> <p>21 Q. You will be alive to the fact that in Verita reports,</p> <p>22 Verita interview reports -- let's put one up on screen,</p> <p>23 <VER000229> at page 11, please, tab 23 of the main</p> <p>24 volume for you, chair.</p> <p>25 THE CHAIR: Thank you.</p> <p style="text-align: center;">Page 132</p>

<p>1 MR ALTMAN: If you look at 144, this is a joint interview 2 with Dick Weber and Mrs Colbran, where at the -- if you 3 look about four lines up from the bottom of 144, the 4 first two words are "We are monitors", do you see? It 5 starts about four lines up: 6 "We are monitors, really, rather than the resolvers 7 of problems." 8 Do you accept that's right, as far as the IMB is 9 concerned, they are just monitors, or is that 10 oversimplistic? 11 A. I think it is oversimplifying. Of course they are 12 monitors, that's their role, but the point of a national 13 preventive mechanism like the IMB is to monitor in order 14 to prevent, and so I think that -- I feel like this is 15 a -- it slightly misrepresents -- maybe it doesn't 16 misrepresent. I feel like it is a slightly strange way 17 of representing what they do; that they're simply there 18 to watch but not to actually try to change anything is 19 a strange way to describe the actions of a national 20 preventive mechanism. 21 Q. If we look at another joint interview, this time of 22 Mr Jones and Ms Molyneux, <VER000237>, page 8, 23 paragraph 107. It must be the next page. Says 24 Mr Jones, at 107: 25 "We're not trying to manage the place. We can make</p> <p style="text-align: center;">Page 133</p>	<p>1 behaviour of the small group of staff shown in the 2 footage. We have never witnessed instances of 3 ill-treatment of this kind, nor have we had any 4 indications that it might be happening. If we had, we 5 feel confident that we would have taken our concerns 6 immediately to the top management of G4S and the 7 Home Office at the centre." 8 Your comment at 10.33 is: 9 "While the sentiment of this statement is welcome 10 and important, it does not address the lingering 11 questions about how and why the committee were unaware 12 of the issues occurring in the centre they visited so 13 regularly." 14 Pausing there, do you have any thoughts about how 15 and why it was they were ignorant? 16 A. So, I mean, I think if they're not witnessing it, you 17 know, so if officers aren't doing and saying these 18 things right in front of them, which they would be -- 19 I would imagine that officers wouldn't, then the only 20 way in which they would be aware of it would be either 21 through conversations, informal conversations, with 22 officers and/or conversations with detained people or if 23 detained people put in complaints. 24 I think that -- my understanding of the role of 25 the IMB is they, at least at this period, didn't have --</p> <p style="text-align: center;">Page 135</p>
<p>1 observations about the strengths of certain individuals, 2 or whatever, and say who is good, bad and indifferent 3 but that's beyond our remit as well. Likewise, how the 4 Home Office are dealing with the detainees and certain 5 of the immigration issues. In fairness, the 6 Home Office, when you go to them, and say, 'Joe Bloggs 7 is hacked off because of this', they won't say to us, 8 'you're overstepping the mark, that's beyond your 9 remit'; they will talk to us. Going back to Use of 10 Force, I think the impact ... on detainees is 11 fundamental." 12 Do you agree? Obviously they are not there to 13 manage the place, but do you have any other observations 14 about what Mr Jones had to say? 15 A. I mean, no, they're not there to manage the place, but 16 they are there to hold the place accountable and to 17 safeguard the human rights of the people who are 18 detained, and so I feel like they actually have an 19 active responsibility and a lot of -- they have a sort 20 of access to what's going on that nobody else does, 21 actually. 22 Q. At 10.32 on page 51 of your first report, you reference 23 the IMB committee report published in 2018 about the 24 period 2017 in which they said they were: 25 "... horrified at the completely unacceptable</p> <p style="text-align: center;">Page 134</p>	<p>1 didn't take a view on and have a sort of formal way of 2 talking to staff. So staff were outside their 3 monitoring role, which I think is something that should 4 change, if it hasn't already, and I think there is some 5 evidence, and I feel like somebody mentioned it in their 6 evidence, that detained people are not always aware of 7 the IMB, and they don't -- they may not literally know 8 who they are, but they also may not understand what 9 their role is, and that is a little bit of a similar 10 example -- it is a little bit like the sort of way in 11 which G4S has all those policies on paper but they don't 12 necessarily translate into practice. 13 So I feel as though, given that the IMB are 14 physically in the building and walk around, then -- and 15 speak to people, then I think it is curious and 16 concerning that they didn't -- that they were -- that 17 they just didn't know about it, and it maybe speaks to 18 something that -- which I think they are addressing much 19 more in terms of how they interact with the detained 20 population. 21 Q. You continue to say: 22 "Unfortunately, the documents submitted to the 23 inquiry do point to a shared culture with officers among 24 the committee at the time. The lack of trust of 25 the detained men, the concerns about the work of GDWG</p> <p style="text-align: center;">Page 136</p>

<p>1 and the use of prison terminology all paint an</p> <p>2 organisation that was not fully independent and thus was</p> <p>3 not performing adequately as a safeguard for human</p> <p>4 rights."</p> <p>5 What did you mean by "the shared culture"?</p> <p>6 A. Well, there I am talking about the kinds of words that</p> <p>7 I cited before from some of their reports, that there</p> <p>8 were, I thought, more examples than I was expecting</p> <p>9 where the detained population were cast as being</p> <p>10 difficult, miscreants, all of those sorts of</p> <p>11 terminology, didn't seem to me to be what I would expect</p> <p>12 a human rights monitoring organisation to be – how</p> <p>13 I thought they would see people who were detained.</p> <p>14 I think also, again, this effect of prisonisation, it is</p> <p>15 evident.</p> <p>16 Q. You say at your 10.18 that some members of both the IMB</p> <p>17 and HMIP for Brook House were from prison backgrounds.</p> <p>18 Is that a problem for you?</p> <p>19 A. I think it is part of the same set of issues that I have</p> <p>20 been discussing, which is, I think it runs a risk that</p> <p>21 it kind of shapes people's view of the detained</p> <p>22 population. If they themselves have come out of</p> <p>23 a Prison Service or they have been -- or they have</p> <p>24 previously monitored prisons, then they are going to see</p> <p>25 these institutions as being like prisons, and they are</p> <p style="text-align: center;">Page 137</p>	<p>1 High Down [a prison] Mr Weber was a former prison</p> <p>2 governor."</p> <p>3 Then you add this:</p> <p>4 "In an interview with Verita, dated 8 December 2017,</p> <p>5 Mr Weber said that sections of the population in</p> <p>6 Brook House were like the prisoners he had previously</p> <p>7 managed: mad and the bad."</p> <p>8 Was that appropriate?</p> <p>9 A. No.</p> <p>10 Q. Because?</p> <p>11 A. Because they're not -- I mean, it is not really an</p> <p>12 appropriate way to talk about prisoners either, but</p> <p>13 these people in detention are not prisoners.</p> <p>14 Q. At 10.18, you say that, unlike the IMB, HMIP had an</p> <p>15 arm's-length approach to monitoring. What was it that</p> <p>16 persuaded you that, while IMB were too close, HMIP were</p> <p>17 not?</p> <p>18 A. By that, I simply meant that the different ways in which</p> <p>19 they fulfilled their roles as part of the UK national</p> <p>20 preventive mechanism. So the IMB are, you know,</p> <p>21 resident in any one side of custody, whereas HMIP do</p> <p>22 these periodic visits. That's all I meant by</p> <p>23 "arm's-length".</p> <p>24 Q. Do you think there were any fundamental misplaced</p> <p>25 limitations on the role of the IMB? They weren't there</p> <p style="text-align: center;">Page 139</p>
<p>1 not. So, yes, I think it is a problem.</p> <p>2 Q. You also note, at 10.14, that two co-chairs of the IMB</p> <p>3 had previously worked in prisons, with one having been</p> <p>4 a former prison governor. As we learned, when</p> <p>5 Mr Petherick came to give evidence, he knew Dick Weber,</p> <p>6 who I think had been that governor?</p> <p>7 A. Yes.</p> <p>8 Q. Is that a problem for you?</p> <p>9 A. I think that is a problem. I think that there was</p> <p>10 not – they were not sufficiently independent.</p> <p>11 Q. Even John Connolly, in one of his inquiry witness</p> <p>12 statements, by reference to the IMB, said that most of</p> <p>13 them were ex-prison officers. So the same point</p> <p>14 applies, presumably?</p> <p>15 A. (Witness nods).</p> <p>16 Q. If you look at your 10.14, where I have just pointed out</p> <p>17 what you say there about members of the IMB, you say</p> <p>18 they adopted prison jargon in some of the reporting.</p> <p>19 Gareth Jones, in a document dated the week</p> <p>20 commencing July 8, wrote that the men on the units were</p> <p>21 "kicking off". You note that in her report in the week</p> <p>22 commencing August 14, 2017, Ms Markwick referred to</p> <p>23 "bang up". You have noted about the co-chairs,</p> <p>24 Mrs Colbran and Mr Weber, and you say:</p> <p>25 "... while Mrs Colbran had headed the IMB at</p> <p style="text-align: center;">Page 138</p>	<p>1 to manage the place, as we saw Mr Jones, I think it was,</p> <p>2 say to Verita. What did you understand the limitation</p> <p>3 of the role was? Was it to make sure that the human</p> <p>4 rights of detainees were protected or was it limited to</p> <p>5 the fabric of the place?</p> <p>6 A. Well, so, as part of the UK national preventive</p> <p>7 mechanism, their roles and duties are set out under</p> <p>8 OPCAT and they are there to safeguard human rights.</p> <p>9 Insofar as the fabric of the building has a role to play</p> <p>10 in that, if you are holding people in dirty and</p> <p>11 dangerous conditions, that's obviously part of that.</p> <p>12 Q. Part of it?</p> <p>13 A. But, no, their role is not purely limited to, is it hot</p> <p>14 or is it cold or is it --</p> <p>15 Q. So it's not limited to a room is too hot, to the</p> <p>16 cleanliness of the wings or particular rooms; it goes</p> <p>17 much further than that?</p> <p>18 A. Yes.</p> <p>19 Q. Do you think they were adequately equipped, HMIB?</p> <p>20 Whether they are or are not now is perhaps neither here</p> <p>21 nor there, but at the time, were IMB equipped to</p> <p>22 identify or address issues of vulnerability and detainee</p> <p>23 safeguards?</p> <p>24 A. The IMB?</p> <p>25 Q. At the time. I think I said "H", I meant "I".</p> <p style="text-align: center;">Page 140</p>

<p>1 A. I mean, they weren't -- I don't know whether members of 2 staff had medical training, so, to that extent, you 3 could argue that they weren't adequately equipped. But 4 I suppose it seems to me that if you go in regularly and 5 you see a highly distressed population, then it's not 6 beyond their ability to understand that the people are 7 vulnerable. 8 Q. Yes. 9 A. And I'm sure they did. 10 Q. Let's look at some aspects around the Home Office, its 11 oversight and monitoring. Can we go to your second 12 report, at 6.15, page 27, please. You say that, by 13 reference to section 4 of this report, the location of 14 Home Office staff may have made it more difficult for 15 them to gauge what was happening more widely in 16 Brook House, for example, on the housing units, and 17 located in offices in the administrative corridor, 18 Home Office staff would have had few occasions to 19 interact informally or otherwise with DCOs or DCMs. At 20 6.16: 21 "They would have had more interaction with the 22 detained population, however, as they meet regularly 23 with individuals to update them on details about their 24 immigration case. In those interactions, there should 25 have been occasion to learn about concerns from the</p> <p style="text-align: center;">Page 141</p>	<p>1 often, about the distinction between custody staff and 2 Home Office staff. They don't really see them as 3 different. And of course, given that the custodial 4 staff -- that the company is, you know, working for the 5 Home Office, they're right on some level to not 6 necessarily differentiate between them. So -- and then 7 the other issue would be that, actually, the interest of 8 the detained person in that meeting is also on their 9 immigration case. So I think there are a lot of factors 10 which would make it difficult for somebody to just tell 11 the Home Office member of staff without being prompted. 12 Q. Do you think, from everything you have seen, that 13 whether or not they weren't told, the Home Office ought 14 to have known or ought to have been alive to the fact 15 that was going on -- what was going on at Brook House in 16 terms of abuse of detained men? 17 A. Well, I think there's -- I think they ought to have 18 known, because they're the authority and Brook House was 19 being run on their behalf. So they ought to have known 20 in a kind of moral sense and in a legal sense. They 21 also ought to have known because, although they are 22 located on the administrative corridor, you would have 23 thought that they would have seen some detention 24 officers and they would have had some inactions with 25 them. So ...</p> <p style="text-align: center;">Page 143</p>
<p>1 detained men about their treatment in Brook House." 2 Pausing there, why -- have you fathomed why, in 3 those interactions, they appear not to have learned 4 anything? 5 A. Well, I think this goes back to the division of labour 6 between the Home Office and the custodial staff, so 7 that, really, those interactions that the Home Office 8 staff have in Brook House, or in any IRC, are purely 9 around the immigration case. So they are basically 10 moments where they pass documents backwards and forwards 11 to the detained person and give them updates or ask for 12 further information. My understanding of those 13 interactions is that they do not concern themselves with 14 the experience of detention, and that would be somewhere 15 where changes could be made, actually. 16 Q. I suppose one could argue there was nothing stopping 17 a detained man telling a Home Office official during one 18 of those meetings that he had been assaulted the 19 previous day? 20 A. No, there's nothing stopping them, other than the high 21 anxiety they're likely to be feeling in that particular 22 meeting, because, of course, you know, the Home Office 23 person is giving them information about their 24 immigration case, and, in my research, I have always 25 found that the detained population are very confused,</p> <p style="text-align: center;">Page 142</p>	<p>1 Q. Can we think now about contractual priorities. In the 2 second report at 7.9, you are asked about the contract, 3 and you say, in regards to the second question, about 4 the efficacy of contract delivery, it is somewhat 5 difficult to come to a firm conclusion because of 6 the manner in which the contract depended on 7 self-reporting by G4S. However, you say, the events of 8 2017 caught on film by Mr Tulley suggest that, at a bare 9 minimum, aspects of the contract concerning safety and 10 the treatment of vulnerable people were not adequately 11 delivered. 12 Then we have Nathan Ward's account, if, perhaps, we 13 can put that up, please -- chair, it's supplementary 14 bundle tab 9 -- <DL0000141> at page 34, paragraph 100, 15 where he talks about penalty points and fines contained 16 in the contract: 17 "I was always very struck by the system devised for 18 penalising breaches of the contract, and the perversity 19 of the priorities it set." 20 Then he sets out some of the detail of that. Then 21 on the next page, 102: 22 "Another point that I think is significant is that 23 the penalty points in schedule G fixed a fine of £30,000 24 for an escape versus £10,000 if a detainee died. This 25 just shows the relative worth of welfare over security</p> <p style="text-align: center;">Page 144</p>

<p>1 and how little the lives of the detainees were valued, 2 against the imperatives of removal and how the 3 incentives/profit costs were weighted against protecting 4 life and welfare."</p> <p>5 At 103: 6 "This raises clear questions about the priorities 7 and suitability of these contractual arrangements and 8 the ability of the laid-down procedures to ensure safety 9 and welfare of detainees. The contract as a whole makes 10 clear the Home Office's own priorities, the message it 11 sends to the IRCs about those priorities, as well as the 12 limited consequences for serious failings and conduct 13 for failures to protect detainees."</p> <p>14 Now, the contract with Serco is different, but we 15 are not focusing on that contract, we are focusing on 16 this one. Do you agree with what he says, that the 17 contract had its priorities all wrong?</p> <p>18 A. Yes. I mean, the contract is very, very long, and 19 I have read it, but I'm not a contract lawyer. 20 Certainly, when you see the financial arrangements, just 21 these ones that are on the screen at the moment, that 22 they would charge them -- the penalty was higher for an 23 escape than for a death, that does suggest that the 24 priorities were around security, not around welfare.</p> <p>25 Q. You talk about, and you have already mentioned this,</p> <p style="text-align: right;">Page 145</p>	<p>1 organisations -- I mean, like Gatwick -- at Brook House 2 we saw the Gatwick Welfare Detainee Group did a lot of 3 work with them initially, trying to sort of signpost and 4 help them understand what some of their options were, 5 but that seems to have been quite contested and was 6 eventually shut down, as I understand it.</p> <p>7 Q. What about the problems of language and the problems of 8 vulnerability and mental ill-health? How do those 9 people assert their rights when they're in 10 administrative detention indefinitely?</p> <p>11 A. Well, so, it's enormously difficult, but that's another 12 reason why the state and the private sector companies 13 really are under an obligation to ensure that there's 14 parity of treatment and experience across those 15 dimensions. I mean, I think with the mental ill-health, 16 you know, that raises very urgent questions about 17 whether people would be able to even understand what 18 their rights could be and -- let alone avail themselves. 19 The language one is potentially easier to solve with the 20 use of interpreters. But all of this would require 21 a fairly significant change to the view of what the role 22 and responsibility is of both the Home Office and the 23 private contractors running the centre.</p> <p>24 Q. So it is not peculiar to Brook House; it's general?</p> <p>25 A. I think it's general, yes.</p> <p style="text-align: right;">Page 147</p>
<p>1 that detention should be more rights focused. By that, 2 you mean -- describe to us what really you're saying to 3 us?</p> <p>4 A. Well, I mean two things. I mean actual access to sort 5 of legal rights and protections and that the detained 6 population should have much better access, much clearer 7 access, and staff should as well. But I also mean 8 something more discursive, that the detained population 9 should really be understood as people who have rights 10 simply because they are humans, like the people who are 11 locking them up and looking after them, and so it would 12 have, you know, practical things like having regular 13 Legal Aid clinics in detention centres which there used 14 to be more of and they have sort of, you know, 15 disappeared as cuts to Legal Aid, but also a kind of 16 other way of discussing detaining people that's not 17 simply talking the about them as security risks.</p> <p>18 Q. What other ways do you think detainees could assert or 19 exercise their legal rights in a way in which they can't 20 at the moment?</p> <p>21 A. Well, I think that they -- very few of them have access 22 to proper legal counsel of any sort, and, I mean, the 23 centres do -- you know, have lists of law firms that 24 they can -- and solicitors that they can contact, but 25 that's enormously difficult. You know, there are</p> <p style="text-align: right;">Page 146</p>	<p>1 Q. General application.</p> <p>2 A. Mmm.</p> <p>3 Q. Finally this, before I come to asking you about the key 4 issues here in your recommendations. I am asked on 5 behalf of the detained persons core participants to ask 6 you about the companies which run these private 7 contracts. So are there characteristics pertaining to 8 a company or a corporate group which increases the 9 chances of this kind of thing recurring or which might 10 militate against it? What's your ideal company running 11 this kind of show?</p> <p>12 A. It's an interesting question, and I'm actually not sure 13 that there is a distinction between the companies. The 14 evidence that I have for this is actually this detainee 15 survey that I usually administer when we are not in 16 a pandemic, which I have done across all of 17 the different detention centres, and, for example, we 18 administered it at Tinsley House and at Brook House, 19 same company, same SMT, completely different responses. 20 I think what that shows is that there are actual 21 differences between establishments which don't 22 necessarily map onto the company, and that makes some 23 amount of sense, because one of the things that happens 24 in a contracted system like IRCs is that, when the 25 contract changes hands, only the people at the top</p> <p style="text-align: right;">Page 148</p>

<p>1 normally move on. The DCO staff complement will stay 2 there. And people -- when you talk to staff, they often 3 feel quite attached to the institution that they work 4 for -- work in. They don't normally feel that attached 5 to the company they work for.</p> <p>6 So I don't really think it's possible to 7 differentiate between the companies.</p> <p>8 Q. So there's nothing you can help us with about that. 9 Ultimately, I suppose, a company is only as good as the 10 contract it has as well. Would that be a fair comment?</p> <p>11 A. Yes. So I think one of the immense challenges of it 12 being a contracted-out system is that there is no 13 transparency around the contract. The contracts are, 14 you know, not shared because of corporate 15 confidentiality, and I think that that is a problem, and 16 I think that they actually -- it is also a failure of 17 imagination. I think contracts could be made more 18 accessible. You could just take out the money bit, but 19 you could still show what they're promising to deliver. 20 And it does seem to have been a problem at Brook House 21 at the time that it relied very strongly on 22 self-reporting by G4S and that also there were just so 23 many items that needed to be measured and reported so 24 that they hadn't kind of got much focus.</p> <p>25 MR ALTMAN: Chair, it is a little early, perhaps, but can</p> <p style="text-align: center;">Page 149</p>	<p>1 centre, the Oakington report, having a very similar set 2 of problems and then recommendations, some of which are 3 similar to the ones I've made, and yet then we have -- 4 it sort of repeats itself in Brook House, I think that 5 is a challenge to imagining the efficacy of changing 6 policies and processes, so yes.</p> <p>7 Q. Yes and no or just yes?</p> <p>8 A. Well, I mean, I think changing policies and practices 9 has a role to play, because, you know, as you've said 10 previously, in a world in which there are still places 11 like Brook House, then I think there is work to be done 12 on how those places are run, but will addressing those 13 things completely transform them? No, I don't think so.</p> <p>14 Q. If changes are made to policies in particular and 15 processes which are written up in guidance, then what 16 you told us earlier about communication becomes more 17 key, doesn't it?</p> <p>18 A. It does.</p> <p>19 Q. The second question I am asked to ask you in this regard 20 is this: do you agree that AAR safeguards need to be 21 strengthened to ensure that vulnerable persons are not 22 being detained in the first place?</p> <p>23 A. Yes.</p> <p>24 Q. In your first report, your original report, you 25 characterised your conclusions and suggestions, as you</p> <p style="text-align: center;">Page 151</p>
<p>1 I suggest now, before I go on to Professor Bosworth's 2 key issues and her suggestions going forward, a break of 3 15 minutes? It is 3.10 pm by my watch, so 3.25 pm?</p> <p>4 THE CHAIR: Thank you. 5 (3.12 pm)</p> <p>6 (A short break) 7 (3.27 pm)</p> <p>8 MR ALTMAN: A few general questions, Professor Bosworth, 9 under the general heading "Key issues and 10 recommendations". The detained persons core 11 participants asked me to ask you this, whether you agree 12 that, whilst changes to the policies, processes or 13 training may help improve the immediate situation at 14 Brook House, they can't correct the systemic deficits 15 and culture which gave rise to the risk of abuse.</p> <p>16 That's a rather negative approach, but what they are 17 really saying is, changes to policies, processes or 18 training are all well and good, but they can't correct 19 the sort of systemic deficits and the cultural problems 20 which gave rise to the risk of abuse or the actual abuse 21 in this instance. Do you think that's unduly 22 pessimistic, or is it accurate?</p> <p>23 A. I think it could be both at the same time. I think 24 there is an issue here that the fact that we have this 25 other report from a different time and a different</p> <p style="text-align: center;">Page 150</p>	<p>1 put them, as preliminary. Preliminary, presumably, on 2 the basis that you might see more evidence which would 3 change those conclusions and suggestions. Has anything 4 changed your mind about any of the conclusions and 5 suggestions you expressed in that first report?</p> <p>6 A. No.</p> <p>7 Q. The way that you structured the first report is, in each 8 of the various sections, it was followed by 9 a conclusions and suggestions series of paragraphs. Is 10 that right?</p> <p>11 A. Yes.</p> <p>12 Q. I am not going to go through them all. Likewise, in 13 your second report, which you structured slightly 14 differently, I think you have an overarching conclusions 15 section at the end.</p> <p>16 You have considered the key issues and what your 17 recommendations are. I have slightly translated them 18 into recommendation rather than suggestions, but it may 19 amount to the same thing. First of all, let me ask 20 this: do you think it is possible to get right the 21 balance between care, trust and security in an 22 establishment built like Brook House, in other words, 23 built as a category B prison, designed to hold people 24 for the purpose of their removal? Can that balance be 25 properly struck?</p> <p style="text-align: center;">Page 152</p>

<p>1 A. I suppose I don't really think it can be properly 2 struck. I think it's very, very hard to expect staff to 3 care for vulnerable people in detention, or even for 4 people who are not vulnerable in detention, in an 5 institution that is built and run like Brook House. 6 Q. The second thing I'd like to ask you is this: whereas 7 academic work on prisons emphasises the importance of 8 relationships between staff and prisoners -- you have 9 talked about some of that today -- in creating decent 10 establishments, is it clear to you how equivalent ties 11 can be forged in an establishment designed to facilitate 12 removal, in other words, not to rehabilitate or to 13 reintegrate and between two groups who differ in terms 14 of language, culture and race and ethnicity? 15 A. Well, I think it is enormously challenging, and I think 16 that that is very, very hard, particularly in a place 17 like Brook House, which is designed with such high 18 security measures in place. I suppose I think it is 19 worth remarking that, in Tinsley House, which is next 20 door, and which is not built to the same security 21 standards, that there is -- you know, that there was 22 a sort of better regime and better relationships between 23 staff and the detained population. But I think it is 24 very challenging to do that in an institution that's 25 designed to expel people or facilitate their removal,</p> <p style="text-align: center;">Page 153</p>	<p>1 want to have relationships with because we want them to 2 leave the country. I think there is a kind of 3 dissonance in that demand that we are making of staff 4 which, for officers, is very hard to reconcile and, you 5 know, some of them do, but I think it's very difficult. 6 Q. I think you probably include, as matters which 7 complicate the picture, something you mentioned already, 8 the low pay and the training of staff, or the minimal 9 training of staff, shiftwork? 10 A. (Witness nods). 11 Q. Does the hierarchy among officers complicate the 12 picture? 13 A. Yes. So, I mean, this is -- you know, this is 14 a difficult, challenging job which is designed to be 15 performed by people who are paid poorly and who are 16 asked to do very long shifts and who don't have much of 17 an opportunity to imagine themselves in a different role 18 within the establishment because there is no clear 19 career structure other than for the small handful who 20 might move into the DCM role. I think all of that, 21 again, it stops it being a kind of aspirational career 22 path because it's actually not a very good job. 23 Q. I asked you to consider, Professor, you will remember, 24 a number of issues, which you wrote down as a sort of 25 aide-memoire to yourself. Let me ask you this, and</p> <p style="text-align: center;">Page 155</p>
<p>1 rather. 2 Q. I think you have thought about, at my request, matters 3 in general which complicate the overall picture. Can 4 you tell us what they are, matters which complicate -- 5 you start with the vulnerability of the population? 6 A. Yes. So, I mean, if the idea is that, in order to get 7 the balance between care and security right, we need to 8 imagine an institution where there can be meaningful 9 human relationships between staff and the detained 10 population, I think that that is -- it is very difficult 11 in an environment where, you know, there are still being 12 people who have these pre-existing vulnerabilities. 13 I think it's very difficult -- who are held in those 14 institutions. I think it is very difficult in an 15 institution where we have evidence that, actually, the 16 indefinite nature of the detention creates 17 vulnerabilities and worsens people's mental health. 18 I think that's a massive problem. And then I think 19 there are -- you know, this question around 20 communication, you know, that that's another fairly 21 straightforward barrier. 22 I think that the sort of -- the crux of the problem 23 is the purpose of the places, and I think it's quite 24 hard to expect officers to build a relationship with 25 people who have been earmarked as people who we don't</p> <p style="text-align: center;">Page 154</p>	<p>1 please list for us what you noted. The question is, 2 during the relevant period, does the evidence suggest 3 that Brook House had fundamental problems with some 4 specific practical issues, and, if so, what did they 5 include? Can you just tell us, please, from your list 6 of what you saw as the fundamental problems? 7 A. There was a fundamental problem around the presence of 8 spice that was smuggled into the centre, and that -- 9 I mean, that was a factor that was apparent in other 10 sites of custody at the time, so prisons in England and 11 Wales had a big problem with spice at the time. But 12 this is a new problem in detention centres, and it 13 was -- obviously, there was just a significant lapse in 14 security. I think -- 15 Q. Next? 16 A. I think there was -- also, it seems clear to me that 17 there was an insufficient number of custodial staff. So 18 the evidence, people talk about that a lot across all of 19 the different people who have provided evidence, and 20 that the insufficient number of staff had a knock-on 21 effect on the provision of regimes, meaning that there 22 just simply wasn't enough to do for the detained 23 population, that they couldn't access the sorts of 24 things the centre is meant to provide, and it also had 25 an impact on staff stress levels and staff well-being,</p> <p style="text-align: center;">Page 156</p>

<p>1 because they were under an enormous amount of pressure.</p> <p>2 There were key aspects of safeguarding within the</p> <p>3 Adults at Risk policy which did not seem to be working</p> <p>4 well, and there were questions about how much of</p> <p>5 the Adults at Risk policy had actually been sort of</p> <p>6 understood and absorbed by the institution in the</p> <p>7 relevant period.</p> <p>8 Dr Hard and other people have pointed out that the</p> <p>9 rule 35 process didn't work effectively.</p> <p>10 Then there are the things we have already been</p> <p>11 discussing today a lot: the design of the building; the</p> <p>12 way in which the detained population don't have access</p> <p>13 to fresh air unless they go out into the concrete</p> <p>14 courtyards, which are then extremely noisy because of</p> <p>15 the planes; and the way in which it was managed like</p> <p>16 a prison. So there were sort of regular roll counts and</p> <p>17 lock-ups which, you know, in an administrative side of</p> <p>18 detention, it seemed to me to be wholly unnecessary</p> <p>19 because those are the practices which are devised for</p> <p>20 a prison, not a detention centre.</p> <p>21 I identified some -- well, some criticisms that</p> <p>22 I made around some of the oversight bodies not being</p> <p>23 sufficiently independent from G4S and, therefore, not</p> <p>24 picking up on the sorts of problems that were captured</p> <p>25 on the film.</p> <p style="text-align: center;">Page 157</p>	<p>1 A. Yes.</p> <p>2 Q. And poorly developed or implemented mechanisms for</p> <p>3 dealing with the stresses of work?</p> <p>4 A. Yes.</p> <p>5 Q. Were they further compounded by a failure to act on</p> <p>6 racist and sexist language and attitudes and behaviours?</p> <p>7 A. Yes.</p> <p>8 Q. What would it take to implement a decency agenda in</p> <p>9 a place like Brook House?</p> <p>10 A. So some of the things that I suggest in my reports and</p> <p>11 that I think could be considered would start with the</p> <p>12 issue of transparency. So a greater emphasis on</p> <p>13 transparency about the governance of the institutions --</p> <p>14 sorry, the governance of Brook House, which would</p> <p>15 include, for example, posting information on the housing</p> <p>16 units about the kinds of concerns and complains that the</p> <p>17 detained population were making, and that maybe even the</p> <p>18 staff were making, and documentation of how those</p> <p>19 concerns and complaints had been handled.</p> <p>20 I also think that there should be, and could be,</p> <p>21 more integration of the detained population into</p> <p>22 decision making about the regime and other needs,</p> <p>23 because, you know, people who are in the centre who will</p> <p>24 best know what they need. There are, of course,</p> <p>25 detainee reps on committees and those things do exist,</p> <p style="text-align: center;">Page 159</p>
<p>1 Q. You included in that, I think, the IMB but also the</p> <p>2 Home Office contract monitor?</p> <p>3 A. Yes, so the IMB and the Home Office contract monitor.</p> <p>4 That the detained population did not seem to be able</p> <p>5 to always receive the help that they needed, either in</p> <p>6 quite sort of basic requests within Brook House, so</p> <p>7 there's, you know, footage showing men coming and asking</p> <p>8 for toilet roll or something and not being given that</p> <p>9 and being told to wait, or in terms of information about</p> <p>10 their immigration case, and these are practical</p> <p>11 problems.</p> <p>12 There's a lot of criticism, and it seems evident,</p> <p>13 about a lack of visibility and seemingly also a lack of</p> <p>14 engagement by senior managers, so the sort of physical</p> <p>15 location of the managers away from where the action was,</p> <p>16 where the actual DCOs were working.</p> <p>17 And then there's a lot of evidence of poor</p> <p>18 communication among staff not just in terms of policy,</p> <p>19 but actually interpersonally poor communication, which</p> <p>20 had led to grievances.</p> <p>21 Q. We have heard of the long-established grievance culture,</p> <p>22 is what we have been told?</p> <p>23 A. Yes.</p> <p>24 Q. So, in combination, was it your view that the results of</p> <p>25 all of those factors contributed to low staff morale?</p> <p style="text-align: center;">Page 158</p>	<p>1 but they probably need a little bit more investment and</p> <p>2 thought, I think, to really try and integrate the</p> <p>3 detained population.</p> <p>4 Q. Pausing there, do they help at all? Because detainee</p> <p>5 reps may not be there overlong, and so, presumably,</p> <p>6 a detainee rep on a committee one week is replaced by</p> <p>7 somebody entirely different in another. So is there any</p> <p>8 continuity?</p> <p>9 A. So I think that -- I mean, I think that's undoubtedly</p> <p>10 a challenge for IRCs. I mean, it is also the case that</p> <p>11 some -- all IRCs, and Brook House wouldn't be any</p> <p>12 different in this, would have some people who were there</p> <p>13 for quite some time, so not everybody is in and out</p> <p>14 within a week. It is difficult to engage the detained</p> <p>15 population because their attention is on their</p> <p>16 immigration case, not on their experience of custody.</p> <p>17 Q. Finally, what I'm going to ask you to do, please,</p> <p>18 because, as I have already made clear, I have asked you</p> <p>19 to consider and note for yourself, for the purposes of</p> <p>20 your evidence, what your recommendations are going to</p> <p>21 be, and you have listed 11, letters (a) to (k). What</p> <p>22 I'm going to ask you to do, to help everybody's note,</p> <p>23 and particularly the chair, for the purposes of her</p> <p>24 report, is to simply read out (a) through to (k) what</p> <p>25 your recommendations are, please. You may probably wish</p> <p style="text-align: center;">Page 160</p>

<p>1 to add one further one, but just list the ones that you</p> <p>2 have told us about, please. I will remind you of which</p> <p>3 it is?</p> <p>4 A. Okay. So I've already said the first two, but I'll read</p> <p>5 them out again:</p> <p>6 "A greater emphasis on transparency in the</p> <p>7 governance of these institutions, including posting</p> <p>8 information on housing units about regular concerns and</p> <p>9 complaints raised by the detained men and staff and how</p> <p>10 they have been handled.</p> <p>11 Q. So that's your first?</p> <p>12 A. That's (a). (b) is:</p> <p>13 "More integration of the detained population into</p> <p>14 decision making about the detention regime and other</p> <p>15 needs."</p> <p>16 Q. Thank you. Next, (c)?</p> <p>17 A. "(c) developing informal and formal mechanisms for staff</p> <p>18 to offload concerns and frustrations ..."</p> <p>19 Mentoring is what I mean:</p> <p>20 "... as well as formal and informal mechanisms of</p> <p>21 staff oversight to address, for example, poor language</p> <p>22 and formal and informal mechanisms of praise and reward</p> <p>23 to acknowledge good work."</p> <p>24 Q. Next, please?</p> <p>25 A. "(d) revisiting staff training materials and their</p> <p style="text-align: right;">Page 161</p>	<p>1 of detention, which is, for you, a fundamental issue?</p> <p>2 A. Yes. So I would recommend, and I have in other</p> <p>3 circumstances too, that the UK should bring in a time</p> <p>4 limit to immigration detention.</p> <p>5 MR ALTMAN: Thank you, Professor Bosworth. That's all I am</p> <p>6 going to ask you. I dare say the chair will have a few</p> <p>7 questions for you.</p> <p>8 THE CHAIR: Thank you very much, Mr Altman. Thank you,</p> <p>9 Professor Bosworth. I do have a couple of questions.</p> <p>10 I will just try and ask them in a logical order.</p> <p>11 Questions from THE CHAIR</p> <p>12 THE CHAIR: I am interested in -- you cover in both of your</p> <p>13 reports, and obviously Mr Altman has asked you to</p> <p>14 a degree as well today about oversight mechanisms, and</p> <p>15 I'm thinking primarily of IMB and HMIP here. Those</p> <p>16 mechanisms themselves are developed from the prison</p> <p>17 world, and you have talked about some of the specific</p> <p>18 issues that you have a view about as to how they</p> <p>19 operated in this context and perhaps some criticisms of</p> <p>20 that. Do you have a view on whether structurally, of</p> <p>21 themselves, there are issues because they were designed</p> <p>22 for a prison environment and an IRC is not a prison?</p> <p>23 A. No, because I don't think structurally of themselves</p> <p>24 that that's a problem. I mean, I think that they -- you</p> <p>25 know, detention centres are not prisons but they are</p> <p style="text-align: right;">Page 163</p>
<p>1 delivery to rebalance the content on security, care and</p> <p>2 rights.</p> <p>3 "(e) better instruction of staff in the language and</p> <p>4 content of rights. It is very minimal in training and</p> <p>5 I suggest that this part of the training could be</p> <p>6 delivered by HMIP, IMB or by a legal aid charity.</p> <p>7 "(f) more information for the detained population</p> <p>8 too about their legal rights and better access to legal</p> <p>9 advice.</p> <p>10 "(g) improved visibility and communication with</p> <p>11 senior staff and Home Office staff for the detained</p> <p>12 population and the officers.</p> <p>13 "(h) a clearer and more developed career pathway to</p> <p>14 close the gap between DCOs and more senior colleagues.</p> <p>15 "(i) more varied and more regular additional</p> <p>16 training to professionalise the DCO role.</p> <p>17 "(j) more attention to misogyny, as well as to</p> <p>18 racism, to stamp it out.</p> <p>19 "(k) inclusion of a wider range of stakeholders,</p> <p>20 including advocacy groups, to make the institution more</p> <p>21 transparent."</p> <p>22 Q. I think although you appreciate it is not an issue, in</p> <p>23 the end, that the chair can deal with, far less</p> <p>24 a recommendation she can make, but it is something you</p> <p>25 have emphasised more than once, is the indefinite nature</p> <p style="text-align: right;">Page 162</p>	<p>1 sites of custody and national preventive mechanisms are</p> <p>2 meant to visit all sites of custody. So I think that</p> <p>3 the logic of having monitoring groups who are there to</p> <p>4 try and, you know, in a way, be the eyes and ears of</p> <p>5 the rest of us in these sites that we can't access,</p> <p>6 I think that that logic makes sense in a detention</p> <p>7 centre, in a detention setting.</p> <p>8 I think the thing that could be done differently --</p> <p>9 and I say this in one of the reports -- would be to</p> <p>10 think again about integrating other organisations,</p> <p>11 because one of the things that IRCs have which is</p> <p>12 different to prisons is that they all have a visitor</p> <p>13 group. So that's actually set up in their design. And</p> <p>14 it seems to me that there's a, I think, rather unhelpful</p> <p>15 distinction made between monitoring bodies and advocacy</p> <p>16 groups because the advocacy groups, like in the</p> <p>17 Brook House situation, the Gatwick Welfare Detainee</p> <p>18 Group, they will have a slightly different kind of</p> <p>19 relationship with a detained population, and they might</p> <p>20 be sought out by some people who don't seek out IMB.</p> <p>21 So, in a way, if they could be brought into the</p> <p>22 conversation more, rather than seen as somehow separate</p> <p>23 because they are not a monitoring group, they are an</p> <p>24 advocacy group, I actually think that could be quite</p> <p>25 important.</p> <p style="text-align: right;">Page 164</p>

<p>1 THE CHAIR: Thank you. We have heard some evidence from</p> <p>2 formerly detained people about their -- perhaps them not</p> <p>3 understanding necessarily what they could expect. They</p> <p>4 weren't sure about making complaints and they have told</p> <p>5 us about mistreatment but that they weren't sure whether</p> <p>6 or not this is just the way it is. Just hearing your</p> <p>7 list of some of the things that you have kind of -- that</p> <p>8 you are recommending, does that speak to some of</p> <p>9 the issues that you have identified, that kind of lack</p> <p>10 of awareness of what their rights may be and, therefore,</p> <p>11 not kind of able to access a way to challenge it, if</p> <p>12 they feel that they're not having those rights in the</p> <p>13 way that they should?</p> <p>14 A. Yes. No, I think that is the case. And I think, again,</p> <p>15 there are lots of reasons for their uncertainty, and,</p> <p>16 you know, sometimes it might be about if they come from</p> <p>17 places where they, you know, have experienced brutality</p> <p>18 from a figure of authority before, and we know some</p> <p>19 people in detention have, and particularly some of</p> <p>20 the people who have given evidence to this inquiry. So</p> <p>21 they may, in a way, almost think that that's what</p> <p>22 happens. But I think it is also a little bit about this</p> <p>23 uneasy connection between a custodial experience that is</p> <p>24 for the purpose of an immigration issue, because, you</p> <p>25 know, their real problem is their immigration issue, and</p> <p style="text-align: center;">Page 165</p>	<p>1 mechanisms. We have also heard, from lots of members of</p> <p>2 staff, an explanation that some of the use of bad</p> <p>3 language was part of those -- you know, was a coping</p> <p>4 mechanism, it was a reaction to stress. Do you have any</p> <p>5 observations about that? I'm interested in what you</p> <p>6 said about the training that the Prison Service are</p> <p>7 undertaking on the secondary trauma.</p> <p>8 A. Yes. So, I mean, one of the statements that the staff</p> <p>9 made that I found the most striking, and I think it was</p> <p>10 Mr Paschali said something along the lines of, "I've</p> <p>11 never held a professional -- I have no qualifications,</p> <p>12 I've never held a professional job", or he said</p> <p>13 something along those lines, which struck me as being</p> <p>14 quite a remarkable way of referring to his own</p> <p>15 experience as a worker, because -- so it sort of cast</p> <p>16 this work as not being professional somehow. Whereas,</p> <p>17 of course, it is. It is a profession, and it has a huge</p> <p>18 amount of responsibility for the well-being of other</p> <p>19 people. And so I think that there is -- I think that,</p> <p>20 whereas I understand people are saying that these are</p> <p>21 coping mechanisms, and there is obviously an element of</p> <p>22 truth in that. I also think when I'm really, really</p> <p>23 stressed, I don't reach for swearing and racist</p> <p>24 language. So there is a certain way in which that is</p> <p>25 also a little bit of an excuse, and to explain it as</p> <p style="text-align: center;">Page 167</p>
<p>1 that is always going to be the thing which they are most</p> <p>2 concerned about. And so I suspect it might lend itself</p> <p>3 to -- it might make it harder for them to actually</p> <p>4 really pay attention to and try and change the custodial</p> <p>5 experience, because, at least in my research, they're</p> <p>6 always worried about what could happen if they complain.</p> <p>7 You know, will it have a bearing on their immigration</p> <p>8 case? Because this relationship between the Home Office</p> <p>9 and the private sector, it's not clear -- and indeed all</p> <p>10 of the parties who come in and out of detention, it is</p> <p>11 not clear, I think -- it is not clear enough to the</p> <p>12 detained population. So there is a job there to do to</p> <p>13 try and make sure that they really know much more</p> <p>14 concretely what their rights are and who all these</p> <p>15 different people are and what they can and should</p> <p>16 expect.</p> <p>17 The companies, you know, they -- G4S would have had</p> <p>18 an induction programme and they would have told them</p> <p>19 things. So it's not like there's no attempt made.</p> <p>20 There is an attempt made. But I think there's a lack of</p> <p>21 understanding about how confused and confusing these</p> <p>22 sites really are for the people who are locked up in</p> <p>23 them.</p> <p>24 THE CHAIR: Thank you. We heard evidence from a member of</p> <p>25 staff who told us that it's not possible to teach coping</p> <p style="text-align: center;">Page 166</p>	<p>1 just being about a coping mechanism.</p> <p>2 So I think there are sort of two things that need to</p> <p>3 happen. One is to take it seriously and to think about</p> <p>4 secondary trauma, and there are, you know, things</p> <p>5 already being done in other areas, not just the</p> <p>6 Prison Service, obviously, also in healthcare; and then</p> <p>7 the other part of that would be to think about</p> <p>8 professionalising it, to think about it as an actual</p> <p>9 career, not just something you sort of fall into because</p> <p>10 you live near the airport and it's the best you could</p> <p>11 do.</p> <p>12 They are both quite practical responses that change</p> <p>13 could happen in, I think.</p> <p>14 THE CHAIR: Thank you. Then my final question: we also</p> <p>15 heard from some former members of staff about the lack</p> <p>16 of focus on just how to talk to people in the training,</p> <p>17 and I'm interested in some of what you told us about the</p> <p>18 kind of feminisation of some of the tasks. Is there</p> <p>19 a connection between that, in your mind, the skill of</p> <p>20 talking to people and the importance put on that or not</p> <p>21 put on it?</p> <p>22 A. So one of the things that detention officers quite often</p> <p>23 talk about is they talk about the importance of</p> <p>24 interpersonal skills. This is a kind of terminology</p> <p>25 that appears in the training. It is one of the claims</p> <p style="text-align: center;">Page 168</p>

1 that sometimes officers make about -- that that's what
 2 characterises their jobs, that you have to have good
 3 interpersonal skills.

4 The difficulty is that they often are having to talk
 5 with people who either they don't have a common
 6 language, so I'm not quite sure how your interpersonal
 7 skills work under those circumstances, or, at least in
 8 the relevant period, where the people were highly
 9 vulnerable and/or were having drug crises, and so
 10 I think that side of the job is really -- is objectively
 11 really difficult, and I think you're right in what
 12 you're talking about gender that, you know, in our
 13 society, we would normally think of people who talk and
 14 listen to feelings and invite people to share their
 15 concerns, it is a sort of feminised way of interacting
 16 with people, and men probably are not really taught to
 17 do that as much and they are not taught to value those
 18 kinds of ways of interacting.

19 So how you can encourage officers to take the time
 20 and to do that, particularly when they have all these
 21 other duties that they're meant to do all the time, like
 22 checking people off lists and doing roll count and
 23 locking them and unlocking them, I think that's a very
 24 demanding -- it is very demanding for them.

25 THE CHAIR: Thank you very much. I have no other questions

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1 for you. I'm very grateful for your time, spending the
 2 whole day with us.

3 **A. Thank you.**

4 **(The witness withdrew)**

5 MR ALTMAN: Thank you. 10.00 am tomorrow?

6 THE CHAIR: Thank you, Mr Altman. Thank you.

7 (3.59 pm)

8 (The hearing was adjourned to
 9 Wednesday, 30 March 2022 at 10.00 am)

10

11

12 I N D E X

13

14 PROFESSOR MARY FRANCESCA BOSWORTH1
 15 (affirmed)

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