



Brook House  
Date 11/08/2017

Mr **D865**  
Room 212a  
D Wing  
Brook House

Dear Mr **D865**

**Complaint Reference Number: CMS 131000152617**

Thank you for your complaint dated the 5<sup>th</sup> of July 2017 concerning issues with an officer whilst on Eden Wing. I am writing to advise that I have now completed my investigation and would like to offer the following response.

This investigation was conducted by myself and involved meeting with yourself, checking CCTV, looking at our in-house system for any observations and liaising with the officers who were on shift on the night in question.

Your complaint contained two main issues which I have investigated.

Firstly, you wrote that an officer was talking loudly at night when you were trying to sleep and he then put a washing machine on after midnight on purpose and when you asked for it to be switched off as you were trying to sleep, the officer told to you to wait. You also said that you asked for a manager to come down, but you said the officer said to you "No, what are you going to do?", then he said "why are you here?" You went on to say that you felt he was trying to make you angry on purpose.

Upon receiving your complaint, I came to speak to you to try to ascertain more details regarding your issues. During the brief conversation I had with you, you explained that you did not want to take the complaint any further. When I questioned why, you just said you did not want to take it any further, so I asked again if you were sure and you said yes. I asked if you meant that you wanted to withdraw it, and you said yes.

Even though you requested to withdraw your complaint, I continued to investigate this matter further and here are my findings.

I viewed CCTV for the night of the 4<sup>th</sup> / 5<sup>th</sup> of July to check if anyone could be seen taking any washing to the washing machines by the shower. The CCTV showed a male member of staff coming to your room at 00:32 and then returning at 00:41, and yet again at 00:46, and on all occasions, conversations appeared to take place. Another female member of staff also attended your room at 00:45 and had a conversation with you. At 00:17 the male officer you mentioned in your complaint could be seen being given a bag of clothes by an officer who was monitoring another detainee who was in a constant watch room. The officer then went to the washing machine and it looked like he was

bending down to put something in it, then he was seen leaving the area and going to the wing office, then returning back to the machine again.

I then contacted the member of staff who I had seen on the CCTV to ask if he could recall anything about that night. He advised that he had been given washing by another officer who was on constant supervision for another detainee, as he had not had his clothes cleaned during the day. The officer stated he could not recall the exact time, but this was the reason the machine had been used at an unusually late time during the night and it was confirmed that this is not regular protocol, however he wanted to assist the other person where possible.

The officer also recalled that after this, he heard the volume of your TV increase and he remembered you shouting about the noise, so he asked you to turn your TV down, to which he said you replied by swearing at him. The officer said he explained to you that you were making too much noise whilst other detainees were trying to sleep, but you again swore at him, so he left your doorway.

I then proceeded to contact the other members of staff who were on shift that night to ask if they had heard any of the comments you said the male officer had remarked to you, but none of them mentioned in their statements that they heard any of these comments being made.

Having reviewed this evidence, I am unable to uphold this aspect of your complaint. This is because although the washing machine was put on overnight, it was not done with the intention of causing any inconvenience. The officer was just trying to assist a fellow detainee who, due to his circumstances, had not been able to come out of his room to wash his own clothes and this was the earliest opportunity the officers had had to help with this. There was also no evidence to suggest he made the comments you stated on your complaint and the only reason he told you to turn your TV down was because it was too noisy and other people were trying to sleep.

Secondly, you wrote that when you turned your TV up loud, an officer said she would close your door if you did not turn it down, and she closed your door at 3 o'clock.

You were on a constant supervision that night on Eden Wing due to having self-harmed previously. Although you asked the officers to return to your previous room because it was noisy on the wing, it was explained to you that you needed to be in the room you were in so you could be monitored more closely for your own welfare and safety. We have a duty of care to look after all people who are resident in the centre and this included having you stay in the room you were in on Eden wing. One of the officers recommended that you move to the other bed in the room as he could then pull the door too slightly, but still be able to see you, and this may have helped to reduce the noise, but he said that you refused this option too. This same officer also stated that he too asked you to turn your TV down but you refused his request and due to this refusal the door was closed and the officer continued to observe you through the observation flap on the door. The CCTV showed that the door was closed at 01:52, not at 03:00 as you had mentioned.

The female officer you referred to in your complaint stated that when she came to your room, you started shouting at her. At this point, she tried to suggest that you use some

form of ear protection on your ears to lessen the sound, but you responded by swearing at her.

The officers had every right to ask you to turn your TV down, for the consideration of the other detainees on the wing and they only closed your room door because you refused. Therefore, there is nothing to uphold on this aspect of your complaint.

Having investigated this fully, I then came to see you in your room on the 10<sup>th</sup> of August to see if you still wanted to withdraw your complaint and at this point you confirmed you did, and signed a declaration form in front of two other residents who were present.

Any expression of dissatisfaction from a resident is taken seriously, irrelevant of the outcome, and we will endeavour to learn to continuously improve our service and care.

I hope you feel satisfied with the way in which your complaint has been handled, however, should you wish to discuss any aspect of it, please feel free to contact me.

If you remain dissatisfied you may also appeal to the Prisons and Probation Ombudsman who is independent of Immigration Enforcement and G4S. You must do this within three months of receiving this letter. I have enclosed a leaflet which explains the process "How to complain to the Ombudsman". This leaflet can also be found at [http://www.ppo.gov.uk/wp-content/uploads/2014/06/PPO\\_Complaint\\_leaflet\\_Dec\\_2013.pdf](http://www.ppo.gov.uk/wp-content/uploads/2014/06/PPO_Complaint_leaflet_Dec_2013.pdf)

The PPO cannot deal with any complaints relating to your immigration status, including any decision to remove you from the United Kingdom, nor does the PPO deal with complaints about healthcare. You can only appeal to the PPO if you are the person with the complaint. Complaints from third parties cannot be accepted.

To help us continually improve our Complaints Handling Process, we have also enclosed a Complaints Handling Feedback Form with this letter which we ask that you complete and return to the Home Office (by posting, emailing or placing it in the Home Office Complaints Box).

I would like to take this opportunity to thank you for bringing your concerns to our attention.

Yours sincerely

**Signature**

p.p

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**DPA**