

18. Investigation Report

Detainee Custody Officer Daniel Small

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Investigator Tony Hayes / Chris McGuire Authorised by Paul Kempster
6/9/17
Pete Small / Dan Tomkins
7/9/17
Dan Tomkins / John Howgate
8/9/17

Section 1: Matter to be investigated

The BBC has raised allegations which may constitute misconduct in a letter dated the 24th August 2017 to G4S about Brook House Immigration Removal Centre.

On the 4th September 2017 at 21.00hrs Panorama aired a documentary on BBC1

Whilst the BBC did not write individually to DCO Daniel Small he was named by them in a document which described him as a witness to an alleged assault. As such, it was necessary to interview DCO Small in order for him to be able to explain his understanding and involvement in any of the allegations.

Date due for completion 15/09/2017

Section 2: Scope of Investigation

To investigate the allegations made by the BBC against G4S staff working at Gatwick Immigration Removal Centre, Brook House.

Interview individual members of staff where allegations have been made

Interview witnesses

Review local documentary evidence and other records

Examine CCTV and Body Worn Video Camera footage

Review Panorama footage

To report findings and conclusions to the Commissioning Authority

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Section 3: Summary of interview with the alleged wrong doer (where applicable)

DCO Small was interviewed on three occasions:

6th September 10.09hrs-10.25hrs

7th September 14.50hrs-16.20hrs

8th September 09.05hrs-09.55hrs

At Brook House Immigration Centre Gatwick.

DCO Small declined to have Union representation or a work place colleague present in interviews 1 & 3, DCO Crepin workplace colleague attended part way through interview 2

DCO Small stated that he has been employed at Brook House approximately 2 years working as an Activities officer engaging with detainees in social games, IT and assisting with paperwork.

As per the Annex A from the BBC page 13 lines 35-38 it references that;

On the 15th June DCO Sean Sayers picked up a detainee named D313 D313 DCO Sean Sayers lifted him and put him in his room and later stated that he “accidentally” used the detainees face to get up off the bed. According to witness DCO Daniel Small, DCO Sean Sayers struck the detainee with the back of his hand.

Interview 1

DCO Small acknowledged knowing DCO Sayers and described him as the “big fella” but doesn’t know him that well. He could not recall working with DCO Sayers or a “Spice” incident occurring on the 15th June 2017 in which he was involved.

DCO Small denied ever speaking with the BBC and is unsure as to how his name has been mentioned.

He stated that he and DCO Tulley were friends at the time but not now and DCO Tulley may have given his name to the BBC.

DCO Small could not recall being on duty this day or any incident involving DCO Sayers.

DCO Small then left the interview.

DCO Small returned approximately twenty minutes later and asked to speak further to the investigating officers.

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At this time DCO Small stated that he recalled he was on duty and that he remembered an incident where a detainee was escorted to Echo-wing following a 'spice' attack. However, DCO Small maintained that he had not witnessed any act of assault.

Interview 2

DCO Small stated that he didn't remember the incident 15th June 2017 involving DCO Sayers but could recall two incidents where detainees had taken "Spice", the one he mentioned and escorted to room 1 Eden wing and another who was "ready to fight" as he recalled.

He went on to say he can barely remember what happened last week let alone 15th June.

Throughout the interview DCO Small presented as nervous.

DCO Small denied knowing anyone at the BBC or having any contact with them. He did say that he had an uncle who worked for the Daily Mail newspaper.

When pressed on how the BBC got to know of incidents occurring and naming him he said that it must have been "Callum" (DCO Tulley) as they worked the same shift pattern.

DCO Small stated he and DCO Tulley were close and were planning a holiday together to America this year and because of this the plans had changed, "all done because of his five minutes of fame and to make money".

DCO Small could not remember anything to do with DCO Sayers or the incident where a detainee was grabbed and put in his room. When pressed again on how the BBC may know this he asked "do I need a Trade union Rep?"

Following a 15 minute adjournment he returned with DCO Crepin a workplace colleague.

DCO Small stated he could now recall the incident after looking at the detainee on the DAT system and speaking with Loraine (Director's Secretary) who informed him of the incident that day.

He stated he found it strange and had no idea why the BBC had named him or how they had obtained information on dates or specific incidents only that it must have been "Callum".

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He denied speaking to "Callum" about the incident and states he wasn't there.

Adjourned 15.35hrs-15.51hrs

DCO Small was asked if he had any other involvement in the Panorama programme or had any other knowledge that would be relevant to this investigation.

DCO Small admitted to being present in the stair well with DCO Connolly as part of the C&R team and admits to hearing what was said by DCO Connolly. DCO Small said he was the voice that could be heard saying "there's a camera there boss" but stated that he never reported it as the incident went on for several hours and he had forgotten about it when it had finished.

He described his lack of action as "Not amazing, not good at all" and acknowledged that how his comments are made it may look like he was condoning this, but he wasn't he didn't want it to happen.

He stated that he would not get in to an argument with DCO Connolly and when he did mention the camera he was told to just "pipe down"

When pressed about the allegation regarding DCO Connolly and the "N" word (nigger) being used he again apologised for not reporting it acknowledging it looked bad and that he was sorry.

He denied working with or assisting "Callum" for the BBC but admitted that "Callum" had discussed his frustrations with him.

He states he did not know that "Callum" was filming but had noticed recently that DCO Tulley was attending more C&R incidents than before. He stated this was odd to him as "Callum" was known for not being involved and walking away. Unfortunately this was "for the wrong reasons".

DCO Small admitted to being as shocked as anyone when he saw the incident dated 25th April 2017.

When told that CCTV footage of the incident on 15th June 2017 was being reviewed DCO Small stated that he could not recall whether he was present or not and did not want to say that he was not there in case the CCTV evidence demonstrated otherwise. DCO Small was advised to take time to reflect in order to be clear about his whereabouts at this time.

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Interview 3

DCO Small was interviewed in order to clarify his whereabouts on 15th June 2017.

DCO Small was shown CCTV footage of the incident involving DCO Sayers.

He was able to identify both DCO Sayers and a DCO Gary Croucher.

He could not identify the third person as being him.

As there is no other footage available for this camera due to system retention this is the only footage available.

DCO Small stated that it wouldn't have been him as he always takes the 1st break goes to his car and comes back in at a quarter to the hour.

After viewing CCTV on the 15th June 2017 on Bravo wing DCO Small can be clearly seen at the servery at 17.42hrs.

DCO Small could not have been present during the incident involving DCO Sayers given that he was on B-Wing at this time.

Section 4: Summary of any third party interviews

Section 5: Relevant evidence examined

CCTV Footage B-Wing Servery 15th June 2017
CCTV Footage E-Wing 15th June 2017
Staff roster

Section 6: Findings

During each interview DCO Small presented as being nervous.

DCO Small stated throughout that he didn't remember the incident or whether he was there

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DCO Small denied working in an undercover fashion with DCO Tulley

DCO Small denied having any contact with the BBC.

DCO Small admitted not reporting wrongdoing by DCO Connolly in the stairwell.

DCO Small admitted to pointing out to DCO Connolly that a camera was present in the stairwell when DCO Connolly was describing his intentions towards planning to assault a detainee in an area that he believed had no CCTV.

Section 7: Conclusions

We are unable to ascertain the reasons surrounding DCO Small being named as a witness by the BBC.

DCO Small admitted to failing to report wrongdoing and pointing out the location of a camera during that wrongdoing.

We are not satisfied with DCO Small's explanation surrounding his actions during this incident, nor his reasons for failing to report wrongdoing afterwards.

There is sufficient evidence for this matter to be considered by the Commissioning Authority.

Completed by

Signature

Date

11/9/17

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