

8. Investigation Report

Clinical Lead Nurse
Jo Buss



Image of Nurse Jo Buss

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Investigator Tony Hayes / Angie Hill /
Chris McGuire

Authorised by Paul Kempster

Section 1: Matter to be investigated

The BBC raised allegations which may constitute misconduct in a letter on 24th August 2017 to G4S about Nurse Jo Buss' alleged involvement in the following incidents:

1. On the 25th of April you said that detainee D1527 who has tried to strangle himself repeatedly and swallow a mobile phone battery, was "an arse basically".
2. On the 25th of April there were two restraints of the same detainee D1527 on E Wing. The first was recorded. You were present for the second physical restraint of the D1527 where an officer, in an apparent attempt to render the detainee unconscious, choked the detainee. There was no 'use of force' report made after this restraint. You made a deliberately incomplete record of this incident, omitting the use of force by officers.

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

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Report findings and conclusions to the Commissioning Authority.

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

Allegation 1:

On the 25th of April you said that detainee [D1527] who has tried to strangle himself repeatedly and swallow a mobile phone battery, was “an arse basically”.

Nurse Buss confirmed she was the clinical lead for Tinsley House but also works in Brook House.

Nurse Buss eventually confirmed she was on duty on 25th April 2017 after initially being unsure and commenting *‘if you say so.’*

Nurse Buss was asked about her understanding of the allegation and to provide her version of what took place. She stated that she didn’t think that was her and didn’t recall the incident or the comments made.

Nurse Buss stated that this was not the type of language she would normally use.

The Panorama footage was played to Nurse Buss (Clip 47:44 min to 48:20 min).

Nurse Buss watched the footage and confirmed that was her in the programme and she did comment *‘he’s an arse basically’*.

When asked why she would make such comments, Nurse Buss stated *‘it was a run of the mill shift, thirteen hours long,’* and *‘I can’t remember.’*

Allegation 2:

On the 25th of April there were two restraints of the same detainee [D1527] [D1527] on E Wing. The first was recorded. You were present for the second physical restraint of the [D1527] where an officer, in an apparent attempt to render the detainee unconscious, choked the detainee. There was no ‘use of force’ report made after this restraint. You made a deliberately incomplete record of this incident, omitting the use of force by officers.

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Nurse Buss eventually confirmed she was on duty on 25th April 2017 after initially stating she could not remember.

Nurse Buss was asked to explain the incident and the allegation made against her by the BBC and stated she has no recollection of the incident whatsoever.

When pressed she stated she could not recall any of the incidents or the day in question.

Nurse Buss was shown a copy of the F213 Injury to Detainee document completed by her colleague at the scene (Nurse Macucka) from the first incident involving Detainee D1527 Mr D1527 had placed a ligature around his neck and required medical intervention and use of force to keep him safe. Nurse Buss acknowledged the detail on the F213 but stated she could not recall the incident or any detail from the scene.

Nurse Buss was asked to describe her role and the process she would follow when attending any incident. Nurse Buss stated she would observe the detainee and if it was safe would enter the room then write up the notes. She confirmed that she would then document her observations on System 1. System 1 is the system used by the National Health Service to record patient interactions and observations.

Nurse Buss confirmed this was her normal custom and practice.

Nurse Buss stated that *"she did not remember one incident to the next."*

Footage from Panorama TV programme was then played (Clip 47:44 min -48:20 min)

Nurse Buss stated she did not remember the incident and can't recall any detail of what took place.

When pressed about being in the room for both incidents involving D1527 D1527 for a significant period of time Nurse Buss stated "I can't tell you, I can't specify my involvement."

Nurse Buss was shown an ACDT constant watch entry from 19:40pm on 25th April 2017 and she confirmed that she made the entry and that it was her handwriting and notes.

Nurse Buss was asked if she had made notes of the incident and the Detainees medical condition and treatment on System 1 and replied '*no....er,,,I hope so*'.

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Nurse Buss stated on interview following a viewing of the footage from the Panorama programme that she recognised ‘*excessive use of force was used*’ and ‘*I would stop it, he’s over him and it is not appropriate*’.

Nurse Buss was asked why she did not stop this incident or intervene as she was present in the room at the time and responded “*I’ll take your word for it, I don’t know, I don’t remember it.*”

Nurse Buss stated she did not recollect the event and has no memory of the incident at all.

Nurse Buss confirmed she is an experienced nurse and has a lot of experience working with detainees and responding to incidents.

Nurse Buss stated if she had witnessed excessive force during any incident she would have reported it via a Security Incident Report (SIR) or a CIPI (Clinical Incident Positive Intervention).

When asked why she didn’t report this incident Nurse Buss replied ‘*I don’t know it was a thirteen hour shift.*”

Nurse Buss was asked why key documentation wasn’t completed post incident and why accurate notes and records were not made and replied ‘*I was incredibly tired*’ and ‘*I can’t tell you what I do not remember.*”

Nurse Buss was asked if she had any medical condition which may explain her memory loss and lack of recall from such a serious incident. She stated she had a “nasty case of PTSD (post-traumatic stress disorder)” from a previous incident some years ago.

Nurse Buss stated she was upset at the way the Panorama programme portrayed her but did recognise and acknowledge that there was excessive force used on **D1527**

Nurse Buss was asked about any other incidents she has been involved in where force has been used and she has not reported it and she stated ‘*No, I have not, I can’t tell you.*”

Nurse Buss was shown a time line of the CCTV captured at the time of the incident and evidence that she was in the room of **D1527** longer than any other staff member and was asked to explain what she saw and heard. She stated ‘*I don’t recall, whatever happens in the centre stays in the centre, I go home and forget about it.*”

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Nurse Buss was shown the Panorama TV footage (clip 52:10) and asked why she clarified the details of the incident and what had took place with **D1527** and didn't record the use of force. She stated *'it had been a long day, I don't know.'*

Nurse Buss was asked why she didn't record the use of force or excessive use of force she had just witnessed in the room on Mr **D1527** and could she understand how people would suspect her of collusion and cover up. She responded 'I can't tell you, I don't remember, I should have done better'.

Note: Nurse Buss was very evasive throughout the interview and could not recall any detail from the incidents or allegations made against her.

Section 4: Summary of any third party interviews

See separate interview transcripts for the following staff members who were identified as having some involvement in the incident and use of force on Detainee

D1527

DCO Fraser
DCO Francis

Section 5: Relevant documents reviewed

CCTV footage 25/4/17 BH/Disc 001
Panorama TV programme 4/9/17 (47:44-48:20, 52:10)
Local documentation including:
F213
Incident report
ACDT extract - constant observations log entry
Orderly Officers daily - log
Staff Roster
Communications Room - log
System 1 notes

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Section 6: Findings

Allegation 1 **Substantiated**

This incident was captured and featured on the BBC Panorama programme which was aired on Monday 4th September 2017 at 21:00.

At 47 minutes 44 seconds on the Panorama programme there is footage of Nurse Buss making the comment *'he's an arse, basically'*.

Nurse Buss initially stated she did not know if she had made these comments but when the Panorama footage was viewed during interview she accepted and acknowledged that she did.

Allegation 2 **Substantiated**

This incident was captured and featured on the BBC Panorama programme which aired on Monday 4th September 2017 at 21:00.

At 48 min 21 secs to 50 mins 01 secs on the Panorama programme there is footage of the incident involving Detainee **D1527** in his room and the use of force.

Nurse Buss was made aware of the allegation and stated she did not remember any use of force on **D1527** or recall the incident whatsoever.

When prompted with local documentation indicating her involvement in the incident and examination of CCTV Nurse Buss acknowledged she was present at the incident.

Local documentation including Use of Force, Observation Log and ACDT place Nurse Buss at the scene of the incident involving Detainee **D1527**

CCTV footage confirms Nurse Buss to be present at the scene for both incidents involving Detainee **D1527**

CCTV footage confirms Nurse Buss was in the room of **D1527** throughout the use of force with the exception of 29 seconds when she can be observed leaving the scene and walking to the main office and returning.

Nurse Buss acknowledged during interview that the use of force on Detainee **D1527** was excessive and she should have intervened and reported it.

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Nurse Buss did not intervene or report the inappropriate use of force

Nurse Buss omitted to record critical information and detail about the use of force on Detainee **D1527** on 25th April 2017.

Nurse Buss stated she did not highlight the second use of force within the entry she made at 19:40 in the ACDT book of Detainee **D1527** making a deliberately incomplete record in the ACDT book.

Nurse Buss did not complete any Security Information Report or CIPI (Clinical Incident Positive Intervention) following the incident.

Nurse Buss updated the constant watch log in the ACDT and did not reference that force had been used on Mr **D1527**

Nurse Buss was evasive and uncooperative during the interview and could not provide any detail relating to the incident involving Detainee **D1527**

Nurse Buss stated that she suffers from a pre-existing condition (PTSD) following an historic incident she was involved in which affects her memory.

Section 7: Conclusions

Nurse Jo Buss was the subject of two allegations made by the BBC. There was supporting evidence from the Panorama programme in relation to both of these.

In relation to both allegations made by the BBC there is sufficient evidence to substantiate all or some of these concerns which are therefore a matter for the Commissioning Authority to consider.

Completed by Tony Hayes / Angie Hill (G4S Health) / Chris McGuire

Signature T.Hayes / C.McGuire

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