



Brook House  
Date: 14/09/2017

Spencer House  
29 Grove Hill Road  
Harrow On the Hill  
Ha1 3BN  
DX 4216 Harrow

Dear Duncan Lewis

**Complaint Reference Number:**

Thank you for your complaint 21, August 2017 concerning an officer's allegedly denied D1538 a computer and second incident in which it is allege, 'an officer told him that he was not allowed to go to C-Wing and that he needed to change his clothes as he looked gay.' 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 me firstly reading your complaint to see what had happened that led to the complaint. Having read your complaint I then had a look at your client's DAT observations records to ascertain if anything was recorded about this incident or any other incidents of similar nature. Unfortunately a number of the Officers involved were not available for face to face interview, this is because one has left the company and the other has been off on long term sick. In their absence I have looked at reports written by them on the day of the incident. I also looked at Security information reports. CCTV For the incident was also viewed.

Your complaint contained two main issues which have been investigated.

Firstly you felt unhappy that during your client's stay at Brook House, 'On 3 June 2017, there was an incident was an incident involving the use of the computer room. Our client stated that he was denied use of a computer be a detention Officer and that he was not provided a reason for this.' You went on to explain, 'the detention officer called over other detention officers who then pushed and tried to slap him. Our client was calm at this point but then looked to defend himself.' He was then remove from association and 'banned from the computer room for 7 days.'

To give some context DCO Edmond Fiddy was detailed to work in the IT suit and DCO L. Instowe-Brewer was detailed to work as Sports officer, this mean he needs to also give comfort break to all the activities officers.

DCO L. Instowe-Brewer who was in the IT Room at the time when your enter wrote in his statement that he had been in the IT room covering DCO E. Fiddy who had gone for a

comfort break and also given DCO. L. Instowe-Brewer a chance to look at the internet connections as it was running slow and being that he was the person who had been given the clearance to maintain the IT service on site.

The following statement is part of DCO L. Instowe-Brewer statement he wrote after the incident, "Whilst doing this at the IT work station detainee D1538 came up to me and requested for a computer. I politely said "not a problem please help yourself to any of the computers available but just be aware they might be running a bit slow at the moment sir." From this D1538 said " Fuck you" and took a seat to a computer. I was aghast at the response and very confused I said "excuse me, what did you just say?" in hope that I could have misheard. D1538 responded "all you officers are racist, you are fucking racist fuck you" he was aggressive with his tone. I excused him again and asked if I had missed something as he seemed to have great resentment towards me but I had not done anything to cause or incite such reactions, I also repeated what I had said to D1538 previously just in case he had misheard me but he made it very clear that he understood and started to shout "you racist motherfucker" it was at this time couple of detainee stood up and told D1538 to calm down and one of the detainee told him " the officer was being very polite to you and provider you a computer he has done nothing racists brother please calm" D1538 responded by rejecting their pleas for serenity by getting more animated with his hand gestures and shout more aggressively that "I'm going to knock his head off" it was at this time DCO E.Fiddy entered the room and could instantly see the aggression with D1538 who was threatening to get up and attack me. DCO E.Fiddy stood in front of me to cause a barrier between myself and the detainee as he was continuing to threaten my wellbeing. On top of this the detainee was disrupting and upsetting the other detainees in the room as well. DCO E.Fiddy asked the detainee to calm down but the detainee came up to the desk he got close up to DCO E.Fiddy pushing his head against DCO E.Fiddy head, naturally due to the threaten stance DCO E.Fiddy commanded D1538 to "get back" and told him a few more time to "stay back" but D1538 approached DCO E.Fiddy again to which I thought D1538 was going to launch an attack but DCO E.Fiddy pushed D1538 back and backed up himself to create a bigger divide between him and D1538 D1538 launched at DCO E.Fiddy and grabbed him by the throat to which at a short struggle DCO E.Fiddy manage to push him away. DCO E.Fiddy kept me at bay and being the initiator was confident he had control of the situation. After this D1538 backed up and continued to throw threats and abuse till he was moved on by a DCM."

The following statement is part of DCO E. Fiddy statement he wrote after the incident, "I then made my way back to the IT suite where I saw DCO luke Instone-Brewer standing behind the desk and was getting shouted at by a detainee who was verbally abusing him calling him 'A racist' Sensitive/irrelevant I made my way over to the desk to put my coffee down and the verbal abuse got worse saying he was going to 'come over there and Sensitive/irrelevant him up' and to Sensitive/irrelevant deck him' or words to that effect. I stayed to the side of the desk as the tension was getting worse and I was worried for my colleague in case thing escalated to a physical level which is highly likely in the custodial environment.

He then stood up and started marching towards Luke Instone Brewer in an extremely aggressive manner whilst continuing the verbal abuse of my colleague. He then got right into my personal space this is when I told him to step away from my and back off. I again told him to do so and he continued to square up to me. I was afraid of getting assaulted at this point trying to protect my colleague. I took a defensive stance and



*made a defensive push which I had been taught on the C&R course. I again told him to stay back and not come towards myself and Luke. He then turned his verbal abuse to me saying he was going to 'smash me in' and a barrage of further comments which I cant remember specifically at this time of writing my report – 20 minutes after the incident as my adrenaline is still high. He then came around to the left of me to perhaps try to attack us both. I once again stood in front of my colleague this is when I pushed the detainee backwards as he was once again in my personal space with his head tilted towards mine. When pushed him out of my personal space he simultaneously grabbed the back of the neck and pulled me closer and this is when I pushed him harder for him to stop assaulting me. I then called for a manager via the landline phone on the desk in the IT suite.*

*Those paragraph are parts of the reports completed after the incident. The officer who pushed your client also completed a Use of Force report.*

Having carefully reviewed the evidence I have concluded that your client was given a computer and for reason only he knows at the moment decided to verbal abuse the officers present and then physically assault one of them. And I find it to be reasonable for him to be remove from association and be subject to restricted access to IT services if he is not going to act in a reasonable manner, therefore I am un able to up hold this aspect of your complaint.

Secondly you felt unhappy that on, '28 June 2017, our client attempted to go over to C-Wing where another detainee had offer to provide him with some clothes' and 'an officer told him that he was not allowed to go to C-Wing and that he needed to change his clothes as he looked gay.'

**D1538** was given a warning for entering on Clyde without authorisation and then subsequently verbally abusing the officer when challenge why he had been on the unit when it is not his Wing. For the safety of everyone and smooth running of the centre detainees are not allowed to enter other wings other the one they are assign and unfortunately we have a large number of detainees trying to get unto other wings for various reasons. When questioned regarding the issue regarding your client being on the unit and the conversation surrounding the incident, DCM D. Tomsett explained that he did not make any reference to **D1538** clothes and if anything he would have told him to put a request if he had been told he was there to pick up clothes from someone because we issue clothes to individuals who do not have anything other than what they wearing.

Having carefully reviewed the second issue raised I find no supporting evidence to support the claim that the officer had told **D1538** to change because he looked gay. I would like to add that rightly, here at Brook House, we currently and previously have openly gay detainees. There are also a number of other times where your client's behaviour have been less than what is acceptable which I have not included in the response. At this present time I am un able to up hold this aspect of your complaint, if in the future you can provide additional evidence then I will be happy to look at the issue again.

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**

Conway Edwards  
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**DPA**