

PRIVATE AND CONFIDENTIAL

Derek Murphy



12th October 2017

Dear Derek

Disciplinary Outcome

I write to confirm the decision taken at the disciplinary hearing, which took place on 28 September 2017. This hearing was conducted by me; also in attendance was Sarah Grady, HR Business Partner, as HR Representative and note taker. You choose to be accompanied by DCO Gary Siggins, as workplace colleague, at this hearing.

The reason for this disciplinary hearing was to consider appropriate action following an investigation into the allegations of gross misconduct:

- **On the 14th June you made inappropriate comments towards detainees**

At the hearing I concluded the following in relation to the allegation (s) detailed above:-

- There were two allegations which were substantiated
- The first comment was made in private, to a colleague. You stated that it was born out of the frustration you feel when detainees continually put themselves at risk by taking “spice”
- You stated the comments were made following multiple contact with a particularly challenging detainee during the shift and were not intended to be taken as a real statement. You stated that the latter part of the comment (“if he dies, he dies”) is a quote from a Rocky movie and was cut out of context by the Panorama editors
- The second comment related to a detainee and was also said out of frustration during a very challenging day
- You stated that you won employee of the month for your work with that detainee who was subsequently sectioned under the mental health act
- You confirmed you were aware it was inappropriate for you to talk about a detainee in this manner
- You have 18 months service as a DCO with no previous disciplinary record and you have 2.5 years previous service as a DCO at Colnbrook IRC
- You have worked on E wing for approximately 8 months
- You understood the expectations of your role and the requirements of being and fit and proper person
- You showed openness and honesty at this disciplinary hearing
- You reported a number of mitigating operational pressures including long shifts, staff rotation and staffing constraints
- You agreed that as an experienced officer you need to lead by example and set standards of behaviour
- You showed remorse for your actions and recognised the need to empathise with detainees in order to try to understand their behaviour

In making my decision today, I took into account the information contained within the investigation report and the information you provided at the Disciplinary Hearing.

Based on the above, I took the decision to issue you with a final written warning which will stay on your file for 12 months. You are advised that in the event of any repetition of this misconduct further disciplinary action may be taken against you up to and including dismissal. For the period that the warning is current, this warning will be taken into account at any disciplinary hearing arising from such circumstances.

You have the right to appeal this decision, which must be made in writing to Lee Hanford Centre Director at the address above, within 7 days of receipt of this letter.

I have enclosed a copy of the notes taken at the hearing for your records.

Yours sincerely

Signature

Sarah Newland
Head of Tinsley House, Borders & PDA
Gatwick IRCs