

Disciplinary Meeting Notes –
DF David Flack
AD Andy Darken
SS Stephen Skitt
MF Michelle Fernandes HR Rep
Meeting Start 1.05pm
Meeting End 1.54pm

Introductions of staff present by Steve Skitt

SS: Thank you for coming. The reason for the meeting is we are carrying out a disciplinary hearing. You were questioned by Caz Dance-Jones in relation to the escort on 04 March 2017. There are 2 parts to this. The first is around the cuff keys and the second is about the detainee removing the closeting chain.

SS reads out the invite letter

SS: MF is taking notes and here to advise on HR elements

SS: This is your opportunity to raise anything out of the investigation or anything that has come to light since

DF: Ok

SS: Are you happy to continue?

DF: Yes

SS: Have you received the report and happy with it?

DF: Yes

SS: AD is here as your representative and supporting you?

AD: Yes

SS: If you wish to adjourn and collect your thoughts let me know

DF: Ok

SS: Are you happy to carry on?

DF: Yes

SS: I will give you open narrative to discuss the two incidents, and want to you be aware a no of people are having hearings carried out similar to this

DF: In relation to keys, one person had this

SS: I am led to believe you were cuffed to the detainee

DF: Yes on both occasions

Disciplinary Meeting Notes –
DF David Flack
AD Andy Darken
SS Stephen Skitt
MF Michelle Fernandes HR Rep
Meeting Start 1.05pm
Meeting End 1.54pm
SS: Why?

DF: I am not a higher rank or paid more, nor the manager in charge. I assume the manager made the correct decision. I did think it unusual and now I know the seriousness of the person involved in that 2nd escort.

SS: What was your role?

DF: I kept it light to avoid being stressed out as if detainees can manipulate the situation they will

SS: At some point in the escort no one had the keys – talk me through this

DF: I phoned to Detainee Reception, you can check the PER it wasn't in the pack to explain I hadn't got the key.

SS: When did you find out?

DF: I can't remember, when we had to change him over to the long chain we realised we didn't have the key. He was seen treated and off again.

SS: So you got to hospital on the first escort and went to put the escort chain for treatment

DF: I checked with the hospital staff they were happy to carry on

SS: At what point?

DF: Once sitting in the room

SS: Was permission requested?

DF: Yes I phoned the Centre to say we hadn't got the key, that was on the paperwork

SS: Did you call? You still have to ring to get permission to change the handcuffs over

DF: For changing over?

SS: If on any escort to check if the escort chain can be used, you contact the DD to let them know you are doing this

DF: No

SS: So when you went to change and didn't have the keys, when did you last see them?

DF: I have not seen them since Ian MacDonald originally cuffed the detainee to me

Disciplinary Meeting Notes –

DF David Flack

AD Andy Darken

SS Stephen Skitt

MF Michelle Fernandes HR Rep

Meeting Start 1.05pm

Meeting End 1.54pm

SS: Can you recall where they went?

DF: No it wasn't my focus, it's a busy area

SS: I'm trying to get the best out of you to understand

DF: I can't recall it was back in March

SS: When you realised the cuff keys were not available what happened?

DF: I phoned control to get hold of DCM MacDonald and was put through to reception

SS: Who did you speak to?

DF: I don't know, I was stressed so the others didn't get stressed. I felt I dealt with it the best I could

SS: What happened back at the Centre?

DF: DCM MacDonald gave the keys over to NW as far as I can remember

SS: Can you talk me through the 2nd escort

DF: The detainee was handcuffed to me. We got to the hospital and he sat in the chair. NW changed the cuffs over, they felt secure when he was handcuffed to me, she cuffed to him and them to me and as far as I could see they appeared to be secure

SS: Talk me through the cuffing, aware you demonstrated this to CDJ and didn't get this right

DF: Yes I didn't get this right

DF: I attach the cuffs above the base

SS: You already have a D cuff, where are you putting the escort chain? Above the D cuff or below it?

DF: Above the D cuff

SS: Then what?

DF: Cuff above the D cuff, remain on the D cuff until the chains are secure

SS: If you put something above something is there a size difference?

DF: You may have to readjust

Disciplinary Meeting Notes –
DF David Flack
AD Andy Darken
SS Stephen Skitt
MF Michelle Fernandes HR Rep
Meeting Start 1.05pm
Meeting End 1.54pm
SS: Can you recall?

DF: The cuffs on the detainee and myself appeared secure. He then went to use the toilet, he then returned, sat in the chair and showed the cuff removed

AD: Officers are not thinking what's happening

SS: The IC officer is a new member, how did she feel?

DF: Embarrassed

SS: What was the general demeanour?

DF: I do believe she raised it with MacDonald, was it right for her to be in charge. He said yes fine and wanted me as the cuff officer. She took it on board

SS: Did you offer support and guidance?

DF: He's switched on and intelligent and it would be difficult to say something, and it's a bit tricky when cuffed

SS: Any concerns throughout the escort

DF: Not particularly, NW was quite chatty and had a bit of conversation. However not a friend - here to do a job. Have a bit of rapport and make it a pleasant experience for the detainee.

SS: Talk me through the toilet

DF: All three of us went with the closeted chain, I had a quick look and it was all clear in the toilet

SS: What's a quick look?

DF: A glance

SS: Was it searched by anyone?

DF: I am trying to think, the officer had previously been in there, no. He came out walked normally and sat in the chair then presented the cuff

SS: How would you think someone can get out of a cuff?

DF: Either slips it off or has a technique of getting out of it, or has a way to undo the cuff, on of those three.

Disciplinary Meeting Notes –
DF David Flack
AD Andy Darken
SS Stephen Skitt
MF Michelle Fernandes HR Rep
Meeting Start 1.05pm
Meeting End 1.54pm

SS: There are two ways in my experience, one they have a key, or two it's not on properly

SS: I don't think he had a key

DF: No

SS: Do you understand your cuffed?

SS: If there are any concerns my expectation with someone of your service is that you would offer support/guidance

SS: Is there anything else you wish me to take into account?

DF: When I came back to report the 2nd escort I saw Sarah Newland first thing and said we didn't have the key

DF: If I hadn't reported it how would anyone know?

AD: He did report no keys were taken out, not sure what the correct reporting procedures are, it's not DF responsibility to have the key

With the second one, as an experience officer he did have concerns, however to offer support and guidance you have to be careful knowing the detainee may use this to their advantage. If you talk in front of the detainee you have to keep the rapport can general conversation.

DF reapplied the cuffs and these were ok and done correctly

SS: I have to form a balanced view and with restraint off it wasn't above the base. There are ways of checking the detainee?

AD: He did report and didn't try and hide anything. Mistakes are made, could he have done better – yes they all could

Meeting Adjourned: 1.37pm

Meeting Reconvened: 1.48pm

SS: There were a number of errors made by a number of people. I may form the opinion a more experienced officer should have been IC, and I agree about this decision. All the people are interviewed and didn't realise about the individual, there was a lack of briefing. My expectation is that all staff should read the paperwork and risk assessment. You have failed to read the information about the history on PER and risk assessment. I take on board you are the cuffed officer and may not be interested but people should be especially in light of the risk. The restraint is on properly when it sits there and doesn't move. I have listened to the evidence and there is not further disciplinary sanction however I am advising you to speak to Security and be familiar with the cuffing techniques and briefing sheet.

Disciplinary Meeting Notes –

DF David Flack

AD Andy Darken

SS Stephen Skitt

MF Michelle Fernandes HR Rep

Meeting Start 1.05pm

Meeting End 1.54pm

There is a risk to the public should have he escaped, it is not only embarrassment. The security of the escort is paramount.

I consider the matter concluded.

Meeting Ended 1.54pm

Signed:_____ Date:_____

Employee Name

Signed:_____ Date:_____

Chair of Investigation Meeting Name

Signed:_____ Date:_____

HR Rep Name