



DRAFT REPORT FOLLOWING INVESTIGATION INTO ALLEGATIONS RAISED BY NATHAN WARD ON PANORAMA, BY FOLLOW UP EMAIL AND TO THE HOUSE OF COMMONS HOME AFFAIRS COMMITTEE RE BROOK HOUSE (& TINSLEY HOUSE) GATWICK IRCs

PREPARED BY: **Stephen Cotter ("Investigator")**

DATE **16th November 2017**

1. Introduction

This report represents the output of the investigation commissioned to the Terms of Reference, see Appendix A.

2. Delivery of the investigation

The investigation was carried out by Stephen Cotter (Risk and Assurance Manager, G4S UK&I Region) and is divided up into the following broad categories:

- Attempt to engage with Nathan Ward to obtain further information or evidence to support his concerns.(Section 3.)
- To establish what happened at Nathan Ward's exit interview with Jerry Petherick and Alison Ashcroft, whether concerns were raised concerning staff misconduct, what those concerns were, whether action was taken and if so what were the actions? (Section 4.)
- To establish whether others (past and present employees) have raised generic concerns to Jerry Petherick (or others) in respect of Nathan Ring, John Connelly and Jo Buss (Healthcare) (Section 5.)
- Such other employees raising concerns were named by Nathan Ward as: Duncan Partridge, Wayne Debnam, Michelle Brown and Stacie Dean. (Section 6.)
- A specific allegation raised by Nathan Ward to the House of Commons, Home Affairs Committee on 14th September 2017 "I am aware of an e mail sent to Peter Neden , the chief executive of G4S raising concerns about specific members of staff dealing Spice to detainees.....in Brook House.....In January this year".(Section 7.)
- Concluding comment (Section 8)

Over the course of the investigation, interviews either by telephone or in person, took place with:

Jerry Petherick, Managing Director, Custodial & Detention Services
Alison Ashcroft, ex Senior HRBP
Stephanie Phillips, ex HRBP
Heather Noble, Human Resources
Lee Hanford, Director Gatwick IRCs
Stephen Skitt, Deputy Director Gatwick IRCs
Michelle Brown, Head of Security Gatwick IRCs
Sarah Newland, Head of Tinsley House IRC
Sandra Calver, Head of Healthcare IRCs

Staff at the Gatwick IRCs were co-operative, during the investigation and assisted in answering questions and providing information.

3. Attempt to engage with Nathan Ward to obtain further information or evidence to support his concerns.

An e mail was sent to Nathan Ward on 5th October 2017, see Appendix B. No response to it has been received and no follow up e mail has been sent or telephone call made, given that we are not willing to comply with the principles laid down by Nathan Ward in his email of 8th September 2017, see Appendix B-1

Opinion

It is not considered necessary at this point to follow up with Nathan Ward for further information unless directed to do so.

4. Nathan Ward's exit interview with Jerry Petherick and Alison Ashcroft April 2014

Within his e mail of 8th September 2017, Nathan Ward attached the document "Points to raise Nathan Ward 17 April 2014 amended reply.docx" which he stated he took and shared with Jerry Petherick and Alison Ashcroft, see Appendix B-1

This document was shared with Jerry Petherick and Alison Ashcroft before their respective interviews as part of this investigation.

4.1 Interview with Jerry Petherick, see Appendix C

Jerry Petherick states:

- He initiated the exit interview, he did not want to lose Nathan Ward who he regarded as effective in an incident commander role, however, he did not hope to turn around his decision, but explore if there was a way forward.
- He cannot recall Nathan Ward bringing notes to the interview, but now having read them he can see no names were raised in the notes
- At the interview Nathan Ward "was unloading on a range of things, justifying to himself why he was leaving us"
- That having looked through his note books he cannot find any contemporaneous notes of the meeting and cannot remember any specific conversations on the concerns raised in his notes.
- Nathan Ward did not provide the names of individuals behaving badly to detainees
- That Nathan Ward sent him an e mail in the days following the meeting, which was amicable. See Appendix C-2.

- He did send Nathan Ward a “thank you” postcard following the exit interview, which is something he does in several situations.
- As a follow up to the exit interview he gave Ben Saunders feedback, he does not remember any other follow up actions.

(The interview with Jerry Petherick covered matters listed on Nathan Ward's “Points to raise” document as well as grievances raised by other employees around the same time, such as Duncan Partridge, Wayne Debnam and more recently by Stacie Dean. These will be covered in later sections of the report if relevant)

4.2 Interview with Alison Ashcroft, see Appendix C-3

Alison Ashcroft states:

- She remembers Nathan Ward bringing notes to the meeting. He did not provide copies to her or Jerry Petherick. She does not remember when looking at the notes from across the table, seeing diagrams.
- Having now read the notes she recalls some things talked about and some things not.
- Nathan Ward did not mention names in respect of poor staff behaviour or drug dealing. Had he done so they would have been investigated, we had a responsibility for the safety of those in our care.
- There was some history between Nathan Ward and Ben Saunders from working together in Childrens Services. Nathan Ward was highlighting to Jerry Petherick some of the things Ben Saunders needed to get a hold of and improve, it was not formal.
- After the meeting she thought there would be a file note made.
- She went with Jerry Petherick to Brook House. Jerry Petherick firstly met with Ben Saunders alone and then she joined the meeting. A further meeting between the three of them took place over dinner in Cambridge.

(The interview covered some of the other matters listed on Nathan Ward's “Points to raise” document as well as comments on other grievances. Any relevant comments will be covered in later sections of the report if relevant.)

4.3 Section 4. Findings

- Nathan Ward's “Points to raise” document for the exit interview does not include the names of employees accused by him of poor behaviour towards detainees.
- Both Jerry Petherick and Alison Ashcroft confirm they did not receive a copy of the “Points to raise” document, Jerry Petherick does not remember Nathan Ward having a document with him, while Alison Ashcroft does.
- Notwithstanding what was in or not in the document, both Jerry Petherick and Alison Ashcroft are clear in that Nathan Ward did not raise any concerns about poor staff behaviour towards detainees at the exit interview, if he had, action would have been taken.
- What is unusual is that neither Jerry Petherick nor Alison Ashcroft wrote up a ‘Note to file’ to record the exit interview. Jerry Petherick stated that this is his normal practice when there is something important to record or follow up. As Nathan Ward was the departing Head of Tinsley House and unloading on a range of things including Ben Saunders' management style and relationships this would have been an essential record to have for any follow up actions. It is normal Management practice to make exit interview notes and both Jerry Petherick and Alison Ashcroft would know this.

5.0 Concerns re Nathan Ring, John Connelly and Jo Buss (Healthcare)

- Jerry Petherick confirmed he has not received concerns on the three named individuals. He did a name search on his electronic records for each of them, with no results.

5.1 Nathan Ring - “concerns around Nathan Ring (Michelle Brown and Stacie Dean) raised concerns in relation to him”

- **Michelle Brown** shared an office with Nathan Ward at Tinsley House and so he would be aware of any issues she had with him as his line manager.
- Michelle Brown's opinion of Nathan Ring at the time was that he was lazy with poor staff management and rostering skills, however, Michelle Brown managed Nathan Ring for a second time at Brook House between June 2016 and May 2017 and had no concerns re his conduct, see Appendix D and Appendix D-1

Finding

Any concerns Michelle Brown had in relation to Nathan Ring were not to do with poor behaviour towards detainees, she was devastated and appalled to see him on the Panorama programme.

- Nathan Ring's “P” file had nothing in it regarding poor behaviour towards detainees.
- **Stacie Dean** did not mention Nathan Ring in her grievance e-mail to Peter Neden or at her grievance interview. No evidence has been found that Stacie Dean raised concerns, although her e-mails have not been accessed.

5.2 John Connelly – “concerns about John Connelly (how he conducted C&R training in a punitive way)”

- John Connelly's “P” file had nothing in it regarding any concerns. Nathan Ward's e mails have not been accessed to check whether he actually raised any such concerns.

5.3 Jo Buss – “concerns about Jo Buss the nurse and her attitude towards detainees”

- Sandra Calver, Head of Healthcare was interviewed in connection with this claim, see Appendix E. Sandra Calver remembers Nathan Ward but cannot remember any concerns raised by Nathan Ward or anyone else from Tinsley House and Brook House about Jo Buss. There is a record on her “P” file that she needed to be reminded on patient confidentiality.

No evidence has been found that Nathan Ward raised concerns, although his e mails have not been accessed.

6.0 Such other employees raising concerns were named by Nathan Ward as: Duncan Partridge, Wayne Debnam, Michelle Brown and Stacie Dean.

- The period 2013/2014 was a turbulent time within the Senior Management Team at the Gatwick IRCs. Stacie Dean raised a grievance against Ben Saunders. Wayne Debnam had a disciplinary hearing and a grievance running at the same time. his grievance was against Duncan Partridge and Ben Saunders for

bullying. Nathan Ward resigned. Duncan Partridge raised a grievance against Ben Saunders and Michelle Brown contacted Jerry Petherick regarding difficulties with Ben Saunders.

Jerry Petherick was directly aware of these issues and confirmed concerns were generally around the management style of Ben Saunders and relationships (between the SMT) and were investigated correctly.

- The investigation has not been helped by the fact that "P" files for Nathan Ward, Wayne Debnam and Duncan Partridge could not be found in the HR archives.

It is **Recommended**: that HR investigate this, with the objective of locating the files and to determine if the problem is widespread within Custodial & Detention Services or limited to the Gatwick IRCs.

6.1 Wayne Debnam, Head of Safety and Security

- Nick Sheppard and Jerry Petherick provided background information on the grievance, bullying concerns against Ben Saunders and Duncan Partridge. Jerry Petherick (with Alison Ashcroft in attendance) found no evidence of bullying and did not uphold the grievance in March 2014.

Opinion

It is not considered necessary to interview Wayne Debnam.

6.2 Nathan Ward, Head of Tinsley House

- Nathan Ward met with Jerry Petherick and Alison Ashcroft in April 2014, though it is not clear which topics were discussed from Nathan Ward's "Points to raise" document, Jerry Petherick did confirm Nathan Ward unloaded on a range of things including Ben Saunders' management style and relationships and did not refer to concerns of poor behaviour by employees towards detainees.
- At the time of Nathan Ward's resignation, Stephanie Phillips was the HRBP for the Gatwick IRCs and she confirmed she provided welfare support to Nathan Ward and her conversations with him were about policies, operational issues, and culture. He did not raise concerns about individuals, had he done so she would have got involved, see Appendix F
- Stacie Dean in her grievance e mail to Peter Neden makes a reference to Nathan Ward:

"Bullying of staff at Brook House has also been highlighted by me and others and nothing has been done. This has been an ongoing issue and prior to his leaving, Nathan Ward completed an investigation in which he said bullying was rife on one wing at Brook and that this should be subject of a further investigation".

Conversely, Sarah Newland (Head of Cedars), see Appendix G, recalls hearing a grievance raised by DCM Adam Clayton against Nathan Ward (and others) around bullying issues in December 2013. The section of the grievance against Nathan Ward was partially upheld and recommended concerns were considered around Nathan Ward's management style.

6.3 Duncan Partridge, Deputy Director

- In September 2014 Duncan Partridge e mailed Jerry Petherick and Alison Ashcroft with his grievance, covering various matters including bullying of self and others by Ben Saunders. This information was obtained from Jerry Petherick who forwarded Lee Hanford and Peter Corrigan's Formal Report on the Grievance December 2014.
- The Formal Report on the grievance does not make reference to any concerns raised by Duncan Partridge on poor behaviour by employees towards detainees.
- **Opinion**
It is not considered necessary to interview Duncan Partridge.

6.4 Michelle Brown, Head of Care and Regimes (at the time in 2014 and currently Head of Security)

- Michelle Brown provided a copy of an e mail sent to Jerry Petherick and Alison Ashcroft in October 2014 (and requested personal information within it is not divulged) in which she explains her absence from work, exhaustion brought on by excessive workload, interactions with Ben Saunders and thinking about "injustices and wrongdoings both historical and recent". Jerry Petherick visited Gatwick the next day and spoke to Ben Saunders and Duncan Partridge at length, recording the conversations in a file note.
- In interview (Appendix D) Michelle Brown confirmed she did raise concerns about individual officers, but this was not at the time Nathan Ward was in post, but after Medway. She remembers raising concerns in 2016 about Luke Instone-Brewer, Babs Fagbo and Jamie Westley at an SMT meeting, Stacie Dean was present. These concerns were repeated regularly at SMT meetings and in the case of Jamie Westley also on e-mail. Concerns about Neil Davis were raised to Ben Saunders and later to Lee Hanford in May 2016 and more recently in June 2017 she raised concerns, about Anais Albert goading and provoking a detainee, by e mail on 8th September 2017 to Ben Saunders and Steve Skitt, following it up verbally at the next SMT meeting and knows that nothing happened. The detainee has now made a complaint to the Professional Standards Unit.

These concerns about individual officers were raised within Gatwick. It should be noted she followed up her concerns about Anais Albert after the Panorama programme was screened and still believes nothing happened as a result of her concerns.

6.5 Stacie Dean (first grievance)

- Stacie Dean's first grievance was submitted in October 2014 and in her own words, taken from her e mail to Peter Neden in 2016:

"I originally submitted a grievance in October 2014 to Jerry Petherick and after a grievance hearing heard by Lee Hanford I was persuaded to withdraw my grievance on understanding that the Director Ben Saunders would be "dealt" with, made to be more organised and not always give a heavy workload to a select few and that I would receive an answer to my policy queries regarding the temporary promotion process that I was made to complete twice when others hadn't."

- No evidence has been found that Stacie Dean raised concerns about poor behaviour towards detainees in 2013/2014, although her e-mails have not been accessed. The concerns raised in her grievance look to be about Ben Saunders, workload and policy issues.

6.6 Opinion re 6.0-6.5

- It is clear that tensions within the SMT at the Gatwick IRCs during the 2013/2014 period resulted in various demands on Jerry Petherick's and Alison Ashcroft's time and they were aware of what was happening at the SMT level.

The management culture under Ben Saunders leadership was tarnished with bullying accusations against and between various members of the SMT, including against Nathan Ward. This was an unhealthy position to be in. Nathan Ward believed this "had a devastating impact on staff and detainees" (The guardian 7th September 2017)

- It is not clear how the management culture has changed between 2014 and 2017 under Ben Saunders continuing leadership (with a secondment break to Medway during part of 2016)
- Various clues point to a close relationship between Nathan Ward and Stacie Dean. Information and concerns raised in Stacie Dean's second grievance (6.7 below) have a strong correlation with Nathan Ward's assertions on the Panorama programme and in his evidence to the Home Affairs Committee.

6.7 Stacie Dean (second grievance)

- A grievance email was sent to Peter Neden in November 2016 covering a wide range of concerns occurring over a number of years, including commercial matters. Within it there were no specific concerns regarding poor behaviour by staff towards detainees.
- It was at the grievance meeting on 5th January 2017 with Jerry Petherick and Helen Noble that when asked about the "under reporting of incidents" Stacie Dean's response led her to mentioning C&R reporting and that she had raised concerns about two DCOs (Luke Instone-Brewer and Babs Fagbo) to Ben Saunders and Steve Skitt, that they had been antagonising and goading detainees, but nothing had been done.
- Stacie Dean mentioned she raised this issue with Lee Hanford at a later date. Lee Hanford provided the email exchange, see Appendix H, which also indicates that Stacie Dean had a follow up action on it. Stacie Dean further explained that when Ben Saunders returned to Gatwick, she was taken off the investigation which was to be given to Jules Williams and asked to look at a matter of Luke Instone-Brewer and his C&R. She did not comment any further on what happened re this C&R matter.
- (Michelle Brown in interview, see Appendix D, provided her understanding re investigations in to these two DCOs in 2016. A detainee made a complaint against Luke Instone-Brewer and Babs Fagbo for poor behaviour which was substantiated. DCM James Begg investigated and reported to Jules Williams. This was due to go to disciplinary for both of them, but:

-Luke Instone-Brewer submitted a grievance and the disciplinary was paused. The grievance took 8 months, Stacie Dean was allocated to it but fell ill and Caz Dance-Jones heard it in November 2016. The grievance was partially substantiated. Dan Houghton had been given the disciplinary to do but forgot to do it.

-Babs Fagbo had significant periods of absence and the case against him did not go to disciplinary because his return to work was not completed.)

- At the grievance meeting Jerry Petherick asked Stacie Dean to send him data on her concerns re these two DCOs electronically, which she agreed to do. As per Appendix C-1 Jerry Petherick stated he could not find an email from Stacie Dean containing the requested information, only one moving the conversation forward towards a separation agreement. The same question was asked of Heather Noble, see Appendix I, who found the email from Stacie Dean to Jerry Petherick and herself dated 5th January 2017 containing more information, see Appendix I-1. The information contained the same e mail dated 25th October 2017 sent by Stacie Dean to Ben Saunders and Steve Skitt, as sent to Lee Hanford above, but also includes the sentence:

"In the case of the DCOs we discussed, they are also known to be supplying spice to detainees yet there has not been a single staff search since this information has been known, Steve constantly fobs off decisions"

There is no evidence that either Jerry Petherick or Heather Noble reacted to this new information.

- Jerry Petherick stated Lee Hanford was the investigating officer for the investigation of Stacie Dean's grievance concerns which included the two DCOs.
- Lee Hanford confirmed he was contacted by Jerry Petherick and Heather Noble on 17th January 2017 on a conference call to talk about Stacie Dean grievance issues, but the two DCOs Luke Instone-Brewer and Babs Fagbo were not mentioned and he was not asked to look into the concerns, see Appendix J.

Lee Hanford provided the notes of the conference call which confirm this, see Appendix J-1

- On the 17th January 2017 Jerry Petherick and Heather Noble visited Gatwick as a follow up to the Stacie Dean grievance meeting and spoke to Ben Saunders and Steve Skitt in person and Byrony Farey by Conference Call. Heather Noble provided the notes to these other meetings, none of which covered Stacie Deans concerns against the two DCOs.
- Steve Skitt confirmed, see Appendix K, that in January this year both Luke Instone-Brewer and Babs Fagbo were being looked at from a Corruption Prevention point of view and the police informed, but that Stacie Dean would not know that. No response to the question has been received as to what was done after receipt of Stacie Dean's e mail of 25th October 2015.
- Babs Fagbo was investigated by Michelle Brown for an allegation of bullying and inappropriate behaviour towards a detainee on 21st April 2017 and substantiated. He was sacked by Steve Skitt and has appealed against that decision, which will not be upheld.

Luke Instone-Brewer resigned in the Summer of 2017.

6.8 Findings (re 6.7)

- Stacie Dean raised concerns to Jerry Petherick around the poor behaviour of DCOs Luke Instone-Brewer and Babs Fagbo towards detainees at her grievance meeting. Jerry Petherick believes he instructed Lee Hanford to investigate these concerns, but Lee Hanford is certain he was not asked. The Conference Call notes of 17th January 2017 confirm Lee Hanford's understanding.
- Though asked, Jerry Petherick did not provide to the investigation the follow up e mail from Stacie Dean on 5th January 2017 which contained additional information on DCOs Luke Instone-Brewer and Babs Fagbo that they are known to be supplying spice to detainees. Heather Noble was later asked about the existence of any follow up e mails and she then located and provided the email.
- Heather Noble, as HR representative at the grievance meeting, having received the follow up e mail from Stacie Dean and also present at the meetings held on 17th January 2017 at Gatwick and on Conference

Calls led by Jerry Petherick to follow up on issues raised at the grievance meeting, did not speak out that concerns raised against the two DCOs, including the allegation of supplying spice to detainees were not being followed up.

- The fact that DCOs Luke Instone-Brewer and Babs Fagbo were investigated for poor behaviour towards detainees in 2016 with the allegations substantiated, but following this Disciplinary hearings did not take place for either of them (for different reasons) requires investigation.

Recommendation: HR review the cases with advice from legal and issue guidance for the future.

7.0 A specific allegation raised by Nathan Ward to the House of Commons, Home Affairs Committee on 14th September 2017 "I am aware of an e mail sent to Peter Neden , the chief executive of G4S raising concerns about specific members of staff dealing Spice to detainees.....in Brook House.....In January this year"

- Shelly Hopkins, Executive Assistant to Peter Neden searched e mails in January 2017 without finding it.
- Given the suspected close links between Stacie Dean and Nathan Ward, it is believed that Nathan Ward was actually referring to Stacie Dean's e mail of 5th January 2017 addressed to Jerry Petherick and Heather Noble, which followed on a grievance sent by e mail to Peter Neden in 2016. (see Section 6.7)
- During the investigation, Navex case 674_1992017 concerning Detainee: **D1467** likely involvement with the Panorama programme makers was reviewed, as it was possible the January e mail referred to by Nathan Ward related to the 4th January 2017 letter from the Detainee's solicitors which came in by e-mail. The letter included the sentence "Last week he was involved in a meeting with managers and other detainees where the issue of drugs, including staff bringing drugs into the centre was discussed". From reading SIRs written at the time, DCO Luke Instone-Brewer was identified as one of the officers allegedly involved.

It is **Recommended** that there is a follow up with the Security Department at Gatwick to check that the intelligence gained from this case has been properly reviewed for credibility and acted upon (as appropriate.)

Concluding comment

- An enquiry was made with IT to see whether e mail recovery for Nathan Ward and Stacie Dean was possible. The cost of this exercise would be £40k for Nathan Ward and £100k for Stacie Dean from a third party who store the data, although if specific date ranges could be given this would reduce the cost.

This was kept in mind during the investigation and no specific need for email searches was identified, although a general look at Nathan Ward's e mail history would have been useful on a speculative basis, but considered cost prohibitive.

Appendices

Appendix A	Terms of Reference 4.10.17
Appendix B	S Cotter e-mail to Nathan Ward 5.10.17
Appendix B-1	Information provided to Peter Small by Nathan Ward 09.17
Appendix C	Interview notes Jerry Petherick 17.10.17
Appendix C-1	Supplementary questions to Jerry Petherick 2.11.17
Appendix C-2	E mail from Nathan Ward 28.4.14
Appendix C-3	Interview notes Alison Ashcroft 23.10.17
Appendix D	Interview notes Michelle Brown 27.10.17
Appendix D-1	Notes of conversation with Michelle Brown 13.9.17
Appendix E	Interview notes Sandra Calver 13.11.17
Appendix F	Interview notes Stephanie Phillips 23.10.17
Appendix G	Interview Notes Sarah Newland 07.11.17
Appendix H	Stacie Dean e mail of 25.10.15 and follow up with Lee Hanford
Appendix I	Interview notes Heather Noble 10.11.17
Appendix I-1	Stacie Dean e mail 10.1.17
Appendix J	Interview notes Lee Hanford 6.11.17
Appendix J-1	Lee Hanford Conference Call notes with Jerry Petherick & Heather Noble 17.1.17
Appendix K	Interview notes Steve Skitt 6.11.17