

INVESTIGATION INTERVIEW – Jerry Petherick

Date: 17th October 2017
Location: Rye Hill – Training Suite
Meeting commenced: 10:30 am
Meeting closed: 12:30 pm

Present	Name	Job Title
Employee Name:	Jerry Petherick ("JP")	Managing Director, Custodial & Detention Services
Investigation Officer:	Stephen Cotter ("SC")	Risk & Assurance Manager, UK & I Region

The following is a summary (not an exact transcript of the comments made during the meeting)

SC: Thank you for seeing me today.

As per the Terms of Reference the objective of this interview is to identify what concerns or allegations, if any, were raised by Nathan Ward ("NW") regarding staff misconduct at the Gatwick IRCs to you, if so what those concerns were and if so what actions were taken in respect of such concerns or allegations.

I would like to cover any concerns regarding staff misconduct which Stacie Dean ("SD"), Duncan Partridge ("DP"), Wayne Debnam ("WD") and Michelle Brown ("MB") may have made to you or you were aware of, as Nathan Ward has referred to them in notes provided to us.

JP: I will give you some context to the Gatwick IRCs. Andy Clark was the Head of G4S Immigration services. He was headhunted by the Aurora Group and on his leaving Gatwick IRCs came over to my division. Shortly after, Andy Clark headhunted the top three of the SMT.

In 2012 Ben Saunders ("BS") and DP were contenders for the Director post. BS won through and DP was appointed as Deputy. Through time it emerged there was conflict between the two of them over management styles. Other issues with DP were to do with his personal life and he failed a police drugs test. SD and WD were seen as Andy Clarks' people, there was pressure between them and BS and DP. SD raised a grievance against BS.

I have researched emails and haven't found any evidence of concerns raised against specific people named on the Panorama programme, there were concerns about BS's management style and relationships. During the period that Alison Ashcoft (AA) was with us I had many conversations with her on this, there were a lot of games being played at Gatwick.

I am confident had there been specific concerns raised they would have been followed up. Grievances against staff were investigated correctly. WD's disciplinary was heard by Lisette Saunders (HMP Parc). WD's grievance was heard by Lee Hanford. I saw WD regarding feedback on the grievance. He was not happy about it, but the process was as it should have been. WD did not make specific allegations, his grievance was primarily due to his relationships with BS and DP. NW was mentioned.

I will send you the e mail WP sent me on 12th May 2014.

SC: So it was around this time that NW resigned and met AA and yourself, for an exit interview.

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JP: I heard about the resignation and I initiated the meeting. I was aware of the difficult context at Brook House. He and BS had worked together at Medway previously and there was some conflict. NW was already at Tinsley when BS came to Gatwick and raised concerns at this time. I didn't want to lose NW, he was effective in an incident commander role.

SC: Do you recall NW bring with him notes to that meeting?

JP: I can't recall the notes. I was not given a copy at the time. I spoke to AA the day after the Panorama programme just to check my memory. I have not spoken to her since. AA remembers NW bringing notes and that he did not mention specific names. NW did not mention to the Home Affairs Select Committee that I was accompanied by AA. Having now read the notes from NW, I see no names were raised in the notes.

SC: Can we now review NW's notes and see whether that helps recall of the exit interview?

JP: Yes, NW was unloading on a range of things, justifying to himself why he was leaving us. I picked up at the time he was doing work for Diagrama, Derek Milliken (ex Brook House Director) was also with them and it was believed they were going to bid for the upcoming STC contracts.

I was not aware of the whistleblowing allegation against NW at the time, I now believe he was accused of bullying.

I have looked through my note books and cannot find any contemporaneous notes of the meeting. I do not remember any specific conversations on the concerns raised in his notes.

I am not aware of the significant traumatic incident NW referred to in his notes. During the time Andy Clark was in charge there was an incident of concerted indiscipline at Brook House, I was duty 'Gold', but cannot remember NW being involved.

SC: Concerning staff and drugs, who do you think is referred to "he joked about going up to London and doing some lines"?

JP: Probably DP.

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SC: Is Juls Williams on your radar re drugs?

JP: No. My take on him is that he is clumsy, no sophistication, but Lee Hanford, interim Director at Gatwick currently, believes Juls would not tolerate misbehaviour.

The two members of staff suspended pending a police investigation re drugs looks to be a normal business investigation.

The DP positive drug test produced conflict between DP and WD as DP was not aware of the search in advance. That was correct process by WD. DP was angry and upset. It was a fairly heavy contamination from a hand swab as I recall, DP came to work by public transport that day, it is known drug traces can be picked up that way. BS had the conversations with the Home Office and kept me informed. The outcome was that the Home Office were content for DP to continue in his role.

The belief that BS and DP wanted to get rid of people, a "hit list", was raised with me in 2014. When I challenged BS he said "No", though I did not necessarily believe him, he could make unwise comments. *I made a file note of this in 2014, I believe this is an example of how I do appropriately follow up issues raised with me.*

Regarding the comment that BS allowed Michelle Brown to undertake DD duties in the knowledge she was not cleared, there was a time period when Gatwick was not on top of clearances. The Home office raised it with BS and some people had to work offsite until cleared. When we knew about it, it was dealt with.

NW was right pointing out in his notes BS and DP didn't undertake Duty Director responsibilities, in my view that demonstrated a weakness in their leadership approach.

Concerning the misrepresentation of staffing figures allegation, I make it clear to my teams the biggest sin is to falsely report or under report.

SC: Had you concerns?

JP: Gatwick has Minimum Staffing Level requirements and we are penalised if we go under. Richard Allenby and Moore Stephens, Accountants, have audited and found nothing.

SC: Finally, NW makes reference in the notes to you phoning him and that you wanted a meeting and did not want to lose him.

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JP: Yes, I phoned NW on a welfare basis, he indicated he did not have a job to go to and would make a living as a magician and carry out his religious duties. I did not want to lose him.

SC: Did you hope to turn around his decision?

JP: Not as far as that, I wanted to explore if there was a way forward.

NW sent me an e mail a couple of days after the meeting.

An amicable e-mail. I would have thought if he was worried about staff behaviour he would have mentioned it here.

The notice to staff concerning NW's departure.

The notice was incredibly bland, I think I shared it with him prior to it going out. NW was a leaver, he was not bought off and did not leave under a cloud. He went on gardening leave as it would only have resulted in conflict if he had worked his notice, that was a benefit to him.

SC: who took over from him?

JP: Possibly Stacie Dean or Sara Edwards.

SC: NW told the House of Commons Select Committee some additional points, the first one that you sent him a "thank you" postcard following the exit interview.

JP: I did send such a postcard to NW, he is correct in that. The HMP Parc printshop have printed cards for me. I handwrite cards to individuals who have been injured, have done some good work and so forth, I don't put them through a franking machine but put a stamp on them and time them to arrive on a Saturday, it is something I do and is not unusual.

. NW did not give me names of individuals behaving badly to detainees. I do not shirk away from investigating things. I self-reported to Nick Sheppard an allegation against me from HMP Oakwood. I did take this meeting with NW seriously.

SC: What actions were taken following the meeting?

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JP: I gave BS feedback, he was anxious to have it. I am sure BS wanted to keep things in house I can understand that. This would have been covered in BS's EDR. I do not remember any other follow up actions.

SC: I believe DP raised a grievance in 2014.

JP: Yes, *e mail of grievance to follow*. DP raised concerns re BS's management style, but no concerns on staff or treatment of detainees. There was conflict between DP and BS and between DP and Sarah Newland. DP was involved with a nurse at Gatwick, Sarah Newland's sister.

Steph Phillips, HR (and also mentioned by NW), showed herself as a game player, it was unclear as to whether she was pouring water or oil on the flames around this grievance.

I produced a 'Note for file' concerning this grievance, which I do when there is something important to record or follow up. I do not have one for NW.

DP's departure involved a compromise agreement involving Nick Sheppard. Though DP was "playing games" with colleagues, I believe we treated him properly. He now works for a competitor.

SC: SD is the next name NW mentioned having concerns and she was the most recent to leave Gatwick.

JP: It is likely NW got the information on the Trading Review pack from SD. SD wrote to Peter Neden regarding her grievance. There was a long history of conflict between SD and BS. She intimidated BS a bit. Lee Hanford did a lot of work with SD and was frustrated with BS not 'having the bottle' to tell SD about the Tinsley House restructuring.

SC: I had some involvement in this as I investigated SD's 'vague' allegations on the EDR process and mis-reporting to the Home Office. I did not find any evidence of wrong doing. I understood you would be investigating other concerns raised.

JP: Lee Hanford was the investigating officer. I was not on top of it as it was during the post-Birmingham disturbance period, which was a priority.

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SC: SD actually mentioned two DCOs she was concerned about: Luke Instone-Brewer and Babs Fagbo in connection with drugs.

JP: From memory, this was a part of Lee Hanford's ongoing investigation, I was not on top of that. Though it is conjecture, I do believe SD and NW are in touch with each other, they also live in the same area.

SC: Do you know anything about NWs slashed tyres and silent phone calls?

JP: No

SC: Did you ever receive concerns on Nathan Ring, John Connelly or Nurse Jo Buss from anyone?

JP: No for each of them. I also did a name search on my electronic records and no.

SC: To the House of Commons Select Committee, NW stated Peter Neden received an e mail in January this year with concerns about specific members of staff dealing Spice to detainees. I have checked with Shelly and she cannot locate the email if it existed. I suspect if the e mail had come in to Peter he would have sent it to you.

JP: I have not found anything from Peter Neden relating to this, if he had forwarded it on I would have sent an acknowledgement and I have not.

SC: Had you any general concerns on how detainees were treated at Gatwick?

JP: No, there were occasional cases but not systemic. I had no feelings when walking around Gatwick that things were not right. We have regular Inspectors reports, the Home Office Monitor and the IMB is active. Dick Weber, a very experienced ex-governor is one such visitor.

My views are well known to the Management Team. They are part of my assurance, they have a responsibility along with the HR Managers.

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I am happy to send to you an e mail from Frances Crook I received on the morning of the Home Affairs Select Committee. Frances is not a supporter of the private sector running prisons, but questions NW's motives given his involvement with Diagrama who are known to be looking to be active in the sector.

SC: Thank you for seeing me. I will write up the notes from the interview and send them to you for checking and signature.

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