

Summary of Interview with DCM Chris Donnelly on 17 January 2018

Start: 09:32 hrs

End: 10:56 hrs

Present:

Helen Wilkinson, Investigating Officer, Professional Standards Unit

Chris Donnelly, Detainee Custody Manager, Brook House

The background to the investigation was covered and DCM Donnelly said that he had seen the Panorama footage. He consented to the interview being digitally recorded and was happy to continue without a work place colleague or union representative. He had the opportunity to review his use of force report prior to the recorder being switched on. He was advised that the complaint had been referred to the police due to the excessive use of force allegation and they were happy for PSU to investigate.

DCO Donnelly had been at Brook House since it opened in 2009. He had always been a DCM. His office was just behind the reception desk, near the property area. He pointed out on a diagram that his office was just between the two desks (reception and discharge).

DCM Donnelly was shown the CCTV. He said that DCM Farrell and DD Haughton arrived. He identified DCO Bulled as one of the officers. He said DCO Martin was stood beside DCM Farrell and DCO Tulley was beside him. DCM Donnelly did not know why DCO Tulley was present as he was an Activities Officer and should be supervising sports. DCM Donnelly had not asked DCO Tulley to be present. In response to DCO Tulley's use of force report stating DCM Donnelly had asked him to attend with him, DCM Donnelly said DCO Tulley was present on scene before DCM Donnelly was aware that anything was happening, showing he had not asked DCO Tulley to accompany him. The CCTV showed DCM Donnelly enter.

He said that the slings were to hold body worn camera (BWV). In response to why there was no BWV given there were cameras worn by two managers and why the camera was not switched on, he had "evidently not" switched it on and he could not remember why not.

He said that force was being used and then the t-shirt was handed out of the room. DCM McDonald had then entered. DCM Donnelly was unsure if a call had gone out over the radio. He then put the handcuffs on. [D687] was facing the wall away from the door.

The reception footage was then shown. DCM Donnelly said the alcove had a seat in it and [D687] had been seated there. He said the Nurse was Emily Parr (dark hair) he could not remember the name of the other nurse. DCM Donnelly did not know why DCO Tulley remained. DCM Donnelly had remained in the alcove area and was then around the desk. [D687] had not wanted to go to Dorset as his family lived in London. They were trying to de-escalate him. DCM Donnelly could be seen in the alcove area "trying to talk him down.". [D687] was still in handcuffs and DCM Donnelly left him in these until he was de-escalated and could be moved.

Tascor had a suitable crew (four officers – a driver and three officers so they are able to take a detainee under restraint). DCM Donnelly said that even if [D687] had not threatened with the ligature, they would have had to use force for his refusal to move. Tascor were then trying to de-escalate the situation and DCM Donnelly was overseeing this. He was stood near the counter. DCM Donnelly said that Tascor could have applied their handcuffs and taken over but they were trying to de-escalate so that they did not need to restrain [D687]. When seated [D687] had remained in handcuffs to the rear. DCM Donnelly said to leave someone in handcuffs when seated was unusual but [D687] was not in any distress. He was very vocal and agitated and did not want to go to the Verne. DCM Donnelly said he decided it was best to deal with the situation because he had tried to self harm and might become violent. In response to the Tascor concern that [D687] could fall forward in handcuffs, DCM Donnelly said that he could not see any circumstance that that could happen. [D687] was “compass mentis and rationale and unless he threw himself forward, was in no danger.” None of the Tascor officers had said something at the time. He said they were present when [D687] was brought through so would have known he was in handcuffs. [D687] was only in handcuffs for about 10 minutes. Once removed and handed to Tascor DCM Donnelly had left.

On 13 May 2017, DCM Donnelly had been Oscar 2 and in charge of reception. He had to ensure the safe running of the reception and discharge of detainees. He knew [D687] and had spoken to him previously. They got on alright with each other. [D687] would have been advised by wing officers that he was being moved to the Verne. He was aware that [D687] was on an open ACDT. This would not have affected how they had dealt with [D687]. He would have been treated the same as any other detainee who had a ligature around his neck and was refusing to move.

He knew that [D687] had a suitable crew move and was in the DWA and Tascor were waiting for him. A member of staff told him / or he heard by radio that a detainee was in the toilet area with a ligature around his neck. Other officers were there when he arrived, who were trying to de-escalate [D687]. He did not think there had been a first response called. DD Houghton and DCM Farrell had been present but DCM Donnelly had not contacted them. Nobody had left and tried to burst into the toilet area as described by [D687].

DD Houghton made the decision to take the ligature off [D687] because [D687] was not going to remove it himself. DCM Donnelly had thought this was the right move and good of him to take charge, given one of them would have had to. Control and restraint was used in the toilet area to remove the ligature and [D687] from the toilet area. DD Houghton had moved towards [D687] to remove the ligature and it was off very quickly. DCM Donnelly had not seen how the ligature was removed and assumed it had been lifted off. It was removed from the room. DCM Donnelly said “absolutely not” when told [D687] had said that he had been dragged on the floor with the ligature until it came off. “There wasn’t any room and DD Houghton was right in front of him and pulled it off. He wasn’t dragged anywhere.”

DCM Donnelly had not been overly concerned about [D687] dropping to the floor. Two officers were there and even if it had been tight enough to do any harm one of them would have had the ligature off him in seconds with the fish knife. He said of the self harm "there was no way he could have really hurt himself. The bar was half way up the wall and the ligature and then his neck. Even if he had fallen to the floor it wouldn't have been tight enough to do any damage to him. The rope was too long and if you are going to commit suicide you don't do it in front of officers who are going to stop you. It was a token gesture." He could not see who had supported his head.

The use of force was "calm, reasonable use of force and no excessive violence (no one lost their cool). He was putting up quite a fight (lashing out with his arms and legs), so I applied the cuffs for his safety and ours." [D687] had been face down (position for handcuffing) and his arms behind him when handcuffs were applied.

DCM Donnelly said that he had applied handcuffs rather than move [D687] in locks because he assessed that there would be a period of de-escalation needed. It would be easier to hand over to Tascor. [D687] would be unable to harm himself or the officers.

None of the officers had been sat or kneeling on [D687] back. DCM Donnelly said he had not been knelt or leant against [D687] whilst applying the handcuffs. He had not seen any officer kick or punch [D687] in the left ribs. He said, "none of our guys would do that. None were heated or angry. It was just another day at the office. Nobody's going to kick him and nobody did what I saw." In response to the assessment at A & E for bruised ribs, DCM Donnelly said it may have happened during the use of force but nobody kicked or punched [D687]. He said there were "three or four adult males rolling around the floor it may happen." He said that no officers had grabbed [D687] around the neck so he could not breathe. DD Haughton would have removed the ligature and that may have hurt but no-one had grabbed his throat or was using unnecessary force. DCM Donnelly had not seen an officer twist fingers or wrist. The use of force had been very quick. Once the ligature was removed, [D687] was put on his front with his arms behind his back and handcuffs applied.

In response to the inconsistency between DCO Tulley's account (legs only) and the other officers (struggled with arms so DCM Farrell took over) DCM Donnelly said DCO Tulley stepped away and DCM Farrell had to step in. They had a theory since the Panorama programme about why he had done that, so that he could film. DCM Donnelly said at the time he had not been surprised because "Callum is not particularly very good at C & R. At the time they thought that's Callum and Shane had to step in."

DCM Donnelly said that no officer had told [D687] to "fuck off back to his own country." [D687] had not said he was not a threat and to let him go when he was on the floor. DCM Donnelly said [D687] had been swearing and abusive "along the line of we should fuck off and we were a bunch of..."

He was taken to his feet and the discharge area. [D687] had been shouting, screaming and calling the officers names. He had not mentioned sore ribs or any

injuries. DCM Donnelly said that if [D687] had had any injuries then Tascor would not have taken him. Brook House would have had to take him to hospital. Healthcare had seen him and their report recorded no injuries post the use of force. He confirmed the 213 was the healthcare report. DCM Donnelly said it was "absolutely not true" that an officer had responded to any claim of an injury by saying it was none of their concern, he needed to man up and get on the bus. He said the report and CCTV showed he had been seen by healthcare and not said anything about any injuries.

The report states refused to show his arms but his arms were in handcuffs. DCM Donnelly thought he would have been seen after the handcuffs had been removed. He was advised that healthcare arrived at 14:00 and left before the handcuffs were removed.

He was sat down and we started the process of de-escalating." [D687] had not wanted to go to the Verne and had been told that this was happening. After five to ten minutes of de-escalation and he was less agitated and it was safe to do so, DCM Donnelly removed the handcuffs and handed over to Tascor. An officer was always present. DCM Donnelly was around and monitoring. When he assessed it safe to do so, he removed the handcuffs.

DCM Donnelly said of training in dealing with ligatures / self harm that all DCOs have the basic ACDT training, which includes training on using the fish knife. In addition, managers have the ACDT Case Review training so they can conduct case reviews. There is a Care Team (group of officers, SMT and chaplaincy) who officers can speak to for support.

In response to the allegation of inadequate mental health medical care, DCM Donnelly said that he would always ask a RMN to be present during an ACDT review. He thought that it was pretty good. He said a Psychiatrist came into the centre every Thursday and detainee could see them.

In response to NPS in the centre and officers are bringing that in, DCM Donnelly said it was possible. There were not many coming in through visits and property. If an officer was doing it, they did not know who it was. Since HOS Brown had come in, staff searches had increased tenfold.

In response to verbal and racist abuse by officers to [D687] DCM Donnelly had never seen this happen to [D687] In response to the description of Steve and the abuse he had used, DCM Donnelly said this was Steve Webb, nearer 6ft 8 and 25 stone. He was dismissed after the Panorama programme. DCM Donnelly said that Steve had not been present during this use of force. He also said that Nathan had also not been present during the use of force.

In response to why [D687] had not complained officer power and reprisals, DCM Donnelly said this was "laughable and ridiculous." He said "reprisals don't happen and they all come in to do a job."

In response to the complaint about the not using the cultural kitchen because he was a sexual offender when he was not and this information being shared with detainees

and his suffering because of this, DCM Donnelly had been unaware of this. He said that officers should not share detainee information and although it might happen by accident, they would not do it purposely. He said officers are taught about the Data Protection Act and do not take information outside of the centre or share it.

In response to Tascor's concerns that when officers went to deal with D687 that there was no urgency, DCM Donnelly said there were officers with D687 from the start so no-one would have felt the need to get there quick. In response to any issues with radios on reception / discharge and the radios' batteries being dead, DCM Donnelly said that there was a battery charging station in reception that could be used. An officer should not be without a radio as there would always be a battery.

He said the force was necessary because of the ligature and the move. Everyone was calm and professional and they did successfully de-escalate and DCM Donnelly had been surprised as he had not thought they would be able to do so.

He was happy with how the interview had been conducted and did not require a copy of the written summary.