

Summary of Interview with Deputy Director Daniel Haughton on 16 January 2018

Start: 09:36 hrs

End: 11:24 hrs

Present:

Daniel Haughton, Deputy Director, Brook House IRC

Michelle Brown, Head of Security, Brook House IRC as workplace colleague

Helen Wilkinson, Investigating Officer, Professional Standards Unit

Background to the investigation and the role of PSU was covered. He confirmed that he had received his letter to the interview dated 22 December 2017 and had the opportunity to review his use of force report prior to the recorder being switched on. This complaint was in respect of the use of force on [D687] on 13 May 2017. The role of HOS Brown as support as explained. He was advised that the allegations had been referred to the police and that they were content for PSU to investigate. It would be referred back to them if any criminality was found. DD Haughton said that he had seen the Panorama footage and was aware that [D687] was [D687]

DD Haughton had been at Brook House for nine years and his role was the Support Services Manager. On the 13 May 2017, he had been covering the deputy director role, covering Brook and Tinsley House. He was responsible for the sites running operationally, carrying out Rule 40 and 42 reviews, visiting all areas and checking ADCT documents and any other documentation.

DD Haughton was shown the CCTV of the Discharge Waiting Room (DWA) on 13 May 2017. He said that he had not seen all of the CCTV before. He identified himself and DCM Farrell entering the room. The other officers in the room were DCOs Martin, Tulley and Bulled. DCM Donnelly entered. He said the use of force was instigated as officers moved forward. He said DCM McDonald entered. He did not know why he was there and he only entered briefly. When he left, it was to check with Tascor if they would accept [D687] "under force." He explained there were two types of escort; a standard crew of two would not accept anyone under restraint as there are only two officers. This was a suitable crew; they had enough officers to enforce the transfer (four), if required under restraint. He said sometimes they still refused. He had spoken to them so they knew "how to manage [D687]" The slings were straps for a body worn camera (BWV).

Of the reception area footage, he was unable to identify the Tascor officer.

[D687] was sat in an alcove with a seat in it. DD Haughton said he was not on the footage for long and may have been behind the desk (out of shot of CCTV). He identified the healthcare staff as Emily Parr (red backpack). He did not know who the other nurse was.

On 13 May 2017, he had been in administration and had received a telephone call from DCM Donnelly to advise there was an issue with [D687] who had walked to the DWA compliantly for his transfer to the Verne and once collected for the escorts, he had been found in the toilet with a loose ligature (t-shirt) around his neck. DCM Donnelly had asked DD Haughton to come and assess the situation and speak to [D687]. He said in his role as DD such incidents would be referred to him for

guidance and reassurance. He was aware [D687] was on an open ACDT when he attended the incident. He would have been told this at handover. The ACDT had not "overly influenced how I dealt with him. We were dealing with him from the point of view of transfer him." This was a HO request for a move.

It had been a standard day and DD Haughton knew [D687] as he had been in and out of Rule 40; there a few times he had been disruptive, involved in altercations due to his frustration. He had been problematic but DD Haughton had had a good relationship with him. "He was a bit of a character."

HOS Brown said that the Panorama footage had shown [D687] earlier in the library he had been frustrated by his nationality and being a Somali it was unlikely he would be returned so he should not be detained. From a security point of view, [D687] was a "prominent nominal." [D687] had been "identified through reporting channels as involved in drug culture and anti-social behaviour / disruptive behaviour, verbal abuse, assault on other detainees, fairly high profile. Equally, he has been in detention for a significant period of time that allows you to build up more information, you tend to find those here longer have more information. He was fairly well known throughout the centre...it was [D687] talking about his immigration frustration as he was not able to be deported and remained in detention."

When Tascor had arrived it had been about lunchtime. [D687] had been spoken to earlier about leaving the centre and said he had no issue and had packed his belongings and walked down to DWA and had been waiting there with no issues. He did not know who had spoken to him or who the officer was on the footage and if that had even been on the same day as the footage had been edited. When an officer went to collect [D687] he had found [D687] in the toilet with a ligature around his neck. DD Haughton had been called to assist.

In response to what observations were being done during his time in DWA, given he was on an open ACDT, DD Haughton said he did not know what had been stipulated on the ACDT front cover. He referred to his report that [D687] had been taken to DWA from the wing at 12:20 hrs. He assumed that as [D687] had been taken to DWA that Tascor had already arrived and were conducting paperwork and property checks. The ACDT front cover was checked and DD Haughton said that [D687] had been on one observation every three hours and one conversation during the day. The last observation had been at 12:05 hrs. Not then due until 15:05 hrs.

When he had seen [D687] he had been "sitting on the toilet or sort of standing around the toilet and had made a makeshift ligature from his t-shirt which had been tied fairly loosely around his neck, almost like a sling (not wound into a rope or cord) and the other end to the disabled handrail. He had been quite agitated and did not want to transfer to the Verne. Our role is to present a detainee to Tascor for a move that has been set by the HO so when I risk assessed, the knot was tied to the handrail, which is a large loop and the bottom of the loop was a foot off the floor. [D687] was saying if anyone came near him he would drop to the floor. When looking at it the knot was on the loop and the knot would have gone to the lowest point so he wouldn't have been suspended, but we still had a ligature.

When he spoke to [D687] he did not want to transfer and DD Haughton assessed that he was using the ligature to prevent his removal. "At no point did he say that he was going to kill himself or wanted to die. He was using it to prevent his move to the Verne. At the time that was my assessment." Tascor would accept under restraint so that was an option to present [D687] in restraint for his move. His intention had not been to use force and was just to remove the ligature. To prevent that being a risk. Force was initiated given [D687] resistance to that. His risk assessment was in his head. "Can we use force to present him if we need to? – yes. Is it reasonable, justified? – yes because it is an enforceable transfer movement order from the HO and the crew are willing and able to accept under restraint so from that point of view it was justified. From the point of view of the ligature, if he had followed through and dropped to the floor there was no risk to him from that ligature from my assessment because of the way it had been tied and the way it was around his neck and the fact I was able to remove it (lifting it over his head) without having to cut it. I handed it to Chris Donnelly and he threw it out of the room." The removal of the ligature was more to enforce the removal rather than a concern, given how the ligature was applied, that he could harm himself with the ligature.

"I didn't have a cut down tool on me and it was better to have one in that situation. Even though the ligature was loose I still may have needed to cut through the t-shirt to remove it. I asked Darren Bulled to give me his. This is a red instrument about five inches long. Referred to as a fish knife, curved main body and the end is like a tail. There is a blade inside, safety blade. This is used to place between the ligature and skin to cut through the ligature.

It was my intention to remove the ligature and then remove any small potential risk to [D687] I had the cut down tool and [D687] had a cigarette in his mouth, suggesting he wanted a light for it. So I stepped back out and got my lighter out of my pocket. I went back into the room and offered him a light and that allowed me to get close enough to the ligature to take hold of it, which I did. [D687] dropped, the ligature came away without the need for the cut down tool. Because he offered a level of resistance (as he dropped he tried to stop me removing the t-shirt by trying to hold it and pull it tight around his neck) the officers got involved (reacted to him dropping) and use of force was initiated.

The use of force was fairly quick. He didn't resist too much (moving around and move arms away from officers not wanting us to gain control, not extreme violence). I was at the back of the toilet. [D687] had been in front of me and the officers were either side of him trying to gain control. I just supported him while they did that and Shane took over the head as you can see on the footage, he moves and they lay him down. When he dropped he was sitting whilst the ligature was removed and he was struggling. He then went over." He had been behind [D687]

"The officers quite quickly got him into arm locks. Callum Tulley struggled so Shane Farrell took over the arm. (The fact DCM Farrell had to take over suggested Mr Tulley was struggling to apply a lock). Handcuffs were applied by Chris Donnelly (he could not recall what he saw of this) and he was stood up and walked out of the room. It was a fairly quick restraint (he had had no concerns about the force used by any of the officers). The officers weren't really struggling to gain control. It was not

excessive force as the force was not excessive as they did not struggle to gain control as resistance was quite low. He had been allowed to stand with his head not controlled and walk with guiding holds only to the Discharge area (de-escalated sufficiently to do so). He was presented to Tascor and healthcare checked him over following the restraint. DD Haughton had not seen this. They had no concerns and Tascor were happy to accept him so he was passed over. He was on an ACDT so a Safe Community Referral was done, as far as I am aware and he would have had a review on exit added to his ACDT." DD Haughton identified the Record of Case Review was this review on exit. He had not seen this at the time and had not been present.

The Oscar 1 S Laughton compiled the reports after the use of force. He said that his signing as the DD was just the process as he was the only one in on Saturday and Sunday and had to be presented to the HO within 24 hours. There would have been no opportunity for other managers to complete. DD Haughton would have expected an incident report from DCO Bulled but that depended on what DCO Bulled had seen. DCM McDonald had only been there briefly. The Incident Report is to report to the HO if use of force is initiated (contractually), mandatory. The use of force forms also go to the HO within 24 hours. DD Haughton did an incident statement because he instigated the use of force and a use of force report for what force he had used. He said that it was uncommon for a DD to be involved in a use of force.

DD Haughton had completed his use of force form that night and sent it to Steve Laughton. DD Haughton said that he did not complete the front sheet of the DCF 2. He said that DCM D Aldis was the manager who informed the HO. This front form is a G4S tracking form to ensure the relevant documents have been submitted. He said that he had completed the wrong timings (incident details – 14:50, handcuffs applied 14:55-15:10 hrs). He said Andy Donnelly was meant to be Chris Donnelly. Morton Hall should have been the Verne. [D687] was not guided back to CSU he was relocated to Discharge Area. In response to why in one area of the form he said use of force was for prevent injury to oneself and facilitate transfer and later to facilitate movement, DD Haughton said primarily it was to facilitate movement. Healthcare had not been present as the force was spontaneous and not planned.

DD Haughton said that the Self-Harm Incident Investigation would have been done by one of the Safer Community Officers. HOS Brown said that she managed this team and it may have been completed by James Begg. If anyone has self-harmed they would have done this to learn lessons and feed into their continuous improvement plan and back to staff via Safe Community Boards and refer to Cut Down Protocol and How to Manage Ligatures policies to remind staff of these and to look at themes. They would feed back to individuals and do a de-brief. Some staff might be referred to the Care Team. They would risk assess certain areas. All officers should carry a cut down knife in case. CCTV, Incident and Use of Force would be looked at as part of the investigation and then any issues would be flagged up to her.

DD Haughton thought he had met with DCMs Donnelly and Farrell prior to speaking to [D687]. He said their office (reception manager) is just behind the reception area. He was briefed that [D687] had refused to leave as the Verne was far away and had told officers he would drop to the floor if officers tried to remove his

ligature. DD Haughton could not remember [D687] saying he would only leave in a body bag. If he had said this, DD Haughton would not have been overly concerned given how the ligature was attached. He was unaware of any previous self harm attempt pre the officers arrival. Agitated state – “I’m not going, I’ll drop. He was animated and quite vocal. His body language and demeanour.” DD Haughton said he had not said “It’s alright I was going to come and see you.” (Panorama footage). There was no engagement with the officers and he would not move.

In response to the Case Review (DCM Farrell) stating the ligature was cut off the rail, DD Haughton said that it was not cut off and that DCM Farrell would not have been able to see what had happened from where he was. DD Haughton was in front of the toilet and [D687] was next to him. He pulled the ligature away from the rail and over his head. DD Haughton’s back would have been to DCM Farrell.

In response to why he had been the one to try and remove the ligature when the other officers had not, DD Haughton said he did not know why and perhaps it was because he had been close enough to act (within touching distance) when he had gone to light [D687] cigarette. Mr Martin and Tulley had been against the back wall and about 7-8 feet away from [D687]. He had not planned to use the lighting of the cigarette to gain access to the ligature. He had planned to light the cigarette to calm [D687] down and enable further conversation. He took the opportunity when it presented itself. He had the cut down tool in case it was needed.

DD Haughton had not used any of the use of force stated on the types of force used on the DCF02. This was an overview of all the force used completed by the initiator of the use of force. Whilst [D687] was seated he had removed the ligature. The wrist inflection would have been used to present for handcuffs. The head support for on the floor when [D687] was in the prone position. DD Haughton said that DCM Farrell had been holding the head. In response to DCM Farrell taking over on the arm, DD Haughton said he had left to speak to Tascor so was unaware who then supported the head.

DD Haughton could not recall an officer sat on [D687] back. He said when handcuffs are applied the officer applying would have to go around between the two arm officers. He had not seen any officer punch or kick [D687] in the ribs and if he had done so, he would have pulled the officer off the use of force straight away and placed another officer on. He would have removed the officer from duty and investigated. A punch or kick in the ribs whilst a detainee is on the floor is not a recognised technique. It could only be used as a defensive punch / kick for personal protection.

DD Haughton said that Mr Tulley had been trying to get hold of an arm and had not been able to so someone else took over. The legs would only be secured once the arms had been. DD Haughton had not heard [D687] saying he could not breathe. It does get said. [D687] had not been in the prone position long and was soon sat up. If he had he would have been sat up immediately. [D687] did not mention at any point he had pain in his ribs. In response to why [D687] was sat in handcuffs for 10 minutes in reception, DD Haughton said that he was not in the area. What usually happened would be restraints would be transferred or Tascor would try and de-escalate so restraints were not used. Handover was usually swift.

In response to Tascor concerns, left in handcuffs and unsupervised, DD Haughton said they would need to look at those concerns.

In response to the allegation that [D687] made about inadequate mental health healthcare, DD Haughton said he was not medically trained to know what was adequate and what was not. In response to daily verbal and racial abuse (go back to own country) on C and A wings, DD Haughton said he had not witnessed such behaviour on his tours of the wings. That sort of behaviour is not acceptable and he would have dealt with.

In response to the officer described as Steve by [D687] DD Haughton said it could have been Steve Webb, well built he was part of Panorama and no longer there. Other Steves (Skitt, DD, Laughton Oscar 1, Dix). These were not well built they were slim.

DD Haughton said that Steve Webb (wearing a red shirt) was not present and DCMs did not wear red shirts only white shirts. He said Nathan Ring was also not present and may not have been on shift that day.

In response to officers discussing his prison background and saying he was a sexual offender so he suffered repercussions because of this, DD Haughton said he knew nothing about this or officers discussing this.

HOS Brown said that she was the director Michelle who had looked at [D687] complaint. She knew [D687] and saw him around the centre. He had complained to her about not being able to access the kitchen. There was a history of knife crime, so they had to put in special measures so he had no access to knives (pre-diced food). She was unaware of the sexual offences reference and said this would not have been shared in any case, unless there was a risk to women or children, in which the visits staff would be briefed. In respect of the letter mentioning sexual offences, HOS Brown said that there was mention of "digital penetration" (used his hands to abuse a female) on his record but he was never convicted. His prison file said risk to women and children but "it was a bit of a bizarre one / anomaly." It had occurred in principal but the conviction was for something else as well. He could not have access to the kitchen if there was a female member of staff present. She had not looked into an allegation that officers had told detainees about his prison history. This information would not be disclosed.

Of the comment by Tascor and the handcuff concern, HOS Brown said that officers were present whilst he was sat there in handcuffs.

In response to [D687] allegations, DD Haughton said that officers did not push down the door as CCTV showed this. DD Haughton said no-one grabbed him round the neck. DD Haughton was trying to remove and [D687] was trying to stop this and tighten it. The description about the twisting of the wrist could be as the officer is trying to apply the wrist lock. No officer had sat on his back. The footage did not show anyone sitting on him and he had not seen this. Only pressure may have been as handcuffs applied. No officer pulled his head back with fingers in his nose. No officers told him to "fuck off back to his own country" and he was not being removed to his own country. DD Haughton said he had not heard [D687] ask for the

restraint to stop as he was not a threat. This may have been as he became compliant when the restraints were on. He was walked not in locks or with his head down. They had de-escalated him. DD Haughton said he had not been dragged by the t-shirt on the floor to take the t-shirt off. There was insufficient room. It could have been as DD Haughton was trying to remove and [D687] was trying to prevent. In response to his claim he had told officers his ribs hurt and their response had been "that is not our concern. You need to man up. You are getting on the bus." DD Haughton said he had not heard that.

In response to [D687] being diagnosed with a bruised left rib, DD Haughton said he had not seen anything to cause this but it was a restraint and it could happen. Officers were at both sides trying to control him. He had not seen any officer kick or punch him in the left ribs. In response to the officer response showing no urgency, DD Haughton said he was not there and arrived later.

In response to any issue with radios in reception, DD Haughton said there was no issue. Echo 1 and 2 pass between the day and night officer and do not go back into the tracker system. There is a battery charger in reception. He was unaware any issue with loosing charge. HOS Brown said she was unaware of any issue from security. The battery is replaced as required either the charger in reception or the gate house nearby. Both said there was no issue with the radio and the officer was responsible for having a working radio. He should have obtained a fresh battery and not left the radio and battery on charge. Twice during the day there is an "Access call" and everyone in the building is expected to respond. If you do not respond a search party is sent to find the officer. When it happens the battery has died and the officer has not replaced it.

He requested a copy of his interview summary to be sent via Karen Goulder. He was happy with how the interview had been conducted.