



**An investigation into alleged misconduct by Vanessa Smith**

**Decision Manager:**

**Simon Levett**

**Investigation Manager:**

**Gary Norton**

## OFFICIAL SENSITIVE

Vanessa attended the interview with her union representative [Name Irrelevant] and a note taker for the union [Name Irrelevant]. Also present was an independent note taker [Name Irrelevant] Immigration Enforcement. I confirmed to everyone present that the purpose of the meeting was to investigate the 2 allegations made by Hibiscus staff against Vanessa and, with the agreement of Vanessa and [Name Irrelevant], I detailed both together rather than separately.

With regard to the first allegation, Vanessa advised that she was invited by the G4S trainers to consider whether the response to the incident in the barricaded room was justifiable. Vanessa considered that it was given the risks faced by the detainee custody officers. Vanessa confirmed that she made the comment alleged by Hibiscus staff but, by way of context, advised that she was responding in kind to the language used by trainers and some delegates throughout the day. Vanessa further advised that she simply meant the response to the incident was appropriate. Vanessa was corrected by the trainer and she took his comments on board.

Vanessa confirmed that she has been working in the Home Office for 13 years and, in that time, has not been the subject of a complaint or disciplinary action. She further advised that she goes above and beyond in her day to day work, that she always attempts to de-escalate situations involving detainees and that, given this, she feels very upset that these allegations have been made.

Regards the second allegation, Vanessa advised that she did not make the comment alleged by Hibiscus. Regards the allegation of laughter at inappropriate comments, Vanessa advised that she couldn't comment on allegations that weren't specific. She confirmed that she had laughed at some comments along with others present on the course. She advised that her general attitude to detainees is positive and that she ensures detainees are safeguarded.

I invited any additional comments from Vanessa and [Name Irrelevant] and Vanessa confirmed that, in future, she would be careful when making comments in case they are misinterpreted. She advised that those making the allegations didn't know her or her history in the Home Office. [Name Irrelevant] advised that she was surprised that the incident had resulted in Vanessa's suspension and this investigation and asked what level of misconduct was being considered.

I advised that HR advice is necessarily ambiguous and that, depending on the outcome of the investigation, it could be minor, serious or gross misconduct. I confirmed that I was commissioned to investigate whether or not there was a case to answer and that any disciplinary action would be considered by [Name Irrelevant] line management. I further advised that I would endeavour to complete my report by 9 April and that a copy of the notes from this interview would be made available to Vanessa and [Name Irrelevant].

## 7. CONSIDERATION OF EVIDENCE

OFFICIAL SENSITIVE

Whilst there was clear evidence to support the first allegation made by Hibiscus, the evidence for the second allegation was less clear and the statements made by some witnesses cast doubt on the allegation.

In reference to the terms of this investigation set out at the start of this report:

1. Allegation 1: In reference to an incident on Monday night where an officer had punched a detainee in the face (several detainees had barricaded themselves in their room and had weapons and had made the floor wet and soapy. An officer was apparently the last one standing and punched one of them), Vanessa from the Home Office said he deserved it and "had it coming". Name Irrelevant then said "We don't say that Vanessa".

For the reasons given above, I find that on the balance of probabilities, **there is a case to answer.**

2. Allegation 2: Vanessa from the Home Office seemed to have a very negative attitude towards detainees. This was shown through laughter at comments made, comments she made herself and her general attitude to violence e.g. "I'd go to town on them".

For the reasons given above, I find that on the balance of probabilities, there is **no case to answer.**

Gary Norton  
Investigation Manager  
10 April 2018

## 9. APPENDICES