



**REPORT FOLLOWING INVESTIGATION INTO ALLEGATIONS
RAISED BY DETAINEE [D2953] TO THE
EQUALITIES ADVISORY SUPPORT SERVICE HELPLINE
(MANAGED BY G4S) RE BROOK HOUSE GATWICK)**

PREPARED BY:
September 2017

Stephen Cotter ("Investigator")

DATE 26th

(Update to report, 8th November 2017 following
interview with the Detainee on 6th November
2017)

Introduction / Background

This report is the output of an investigation that was initiated in relation to an e mail on 1st September 2017 by Alex Hayes, Managing Director –ESS, alerting 'Speak Out' to allegations raised by a caller to the Equalities Advisory Support Service Helpline, [D2953] ("Detainee"), between 10th June 2017 and 17th July 2017 concerning how he was treated at Brook House IRC, Gatwick. At the time these calls were received, the G4S helpline staff were not aware G4S ran Brook House, it was the 'All staff' communication from Peter Neden on 1st September re the forthcoming BBC Panorama programme which alerted them to the fact.

The text of this email is reproduced below.

The source of this referral to 'Speak Out' was not disclosed during the investigation, however, Alex Hayes has since confirmed that she has spoken to the client (GEO) who are happy for us to go through the Speak Out process in this case, as ultimately they just want what is best for the end user.

Nick

It has come to light that through our Equalities Advisory Support Service helpline an allegation has been made regarding the Brook House facility at Gatwick.

The client called us a total of 40 times between 10/06/17 and 17/07/17. The points below were directly about the way he was treated at Brook House.

The client complained about his human rights and that he as being treated badly. Alleged he was attacked by a guard and that he had to share a room with muslims and that he had not been given

his depression medication. On a later call 16/06 he told us that he was at Brook House detention centre near Gatwick airport, again complaining that he was not receiving his medication for his depression so he couldn't sleep at night, claimed he had been hit by someone with a snooker queue (unable to determine if this was another detainee or employee). He also complained that he didn't know what day or time it was and that guards keep moving him from cell to cell but not other people. He stated his human rights have been breached as they keep him in his cell all the time. He also mentioned that he already had an appointment with a solicitor or case worker on the 19th of June.

G4S was not mentioned in the calls. G4S is not included anywhere on the EASS website.

If you require any further information please do let me know

Thanks

Alex

Delivery of the Investigation

The investigation commenced whilst the Investigator was a member of the Pete Small BBC Panorama investigation team at Brook House, between 4th and 12th September 2017 with the objective of finding out if there is evidence to support the Detainee's allegations. A number of conversations and e mail exchanges took place with Brook House staff and relevant documentation reviewed, during the period above and after.

The EASS Call Centre in Manvers Rotherham was visited on 21st September 2017 to listen to the source calls.

The Detainee was moved to Harmondsworth IRC from Brook House and had a removal date from the UK of the 19th October 2017. This removal did not take place and the Detainee was moved to Morton Hall IRC where he was interviewed by the Investigator on 6th November 2017.

EASS Call Centre Manvers, Rotherham 21st September 2017

The principal calls from [redacted] D2953 ("the Detainee") to the helpline were listened to with Debbie Miller, Team Leader, who facilitated the exercise.

General Observations

In total the Detainee called the helpline 40 times between 10th June 2017 and 17th June 2017. He stated the staff at Brook House had given him the number to ring, this is likely because he was complaining in the very early calls that his human rights were being taken way.

Many of the calls were very short and unsuccessful. The Detainee's English language skills were not good and a Bulgarian interpreter was used on a couple of the calls which facilitated more of a meaningful conversation, however, it must be noted that the Detainee

was clearly told on 16th June 2017 on the 15:06 call with the help of an interpreter, that the helpline was unable to help him, an alternative number for Detainee Support at Gatwick was given to him and he was advised not to phone again. Despite this he called another 27 times over the next four weeks.

At times the Detainee was calm on the calls, at other times agitated and shouting. He can be clearly heard banging on a door or hard surface during a couple of the calls. The interpreters seemed frustrated with him as he spoke over them on several occasions. One comment from an interpreter was that at some point he was not making sense and rambling.

Notes taken on calls are as follows (calls not listened to would be of a short duration):

10/06/2017

10:38,

10:55. Without an interpreter:

- told the helpline couldn't help him, no pen to write down a number for people that could help him.
- locked in a room, staff don't want to give him medication for insomnia and back pain
- don't want to let him have a shower, see a Doctor, give him food.
- wanting to go to US was mentioned.

11:12,

11:13 With an interpreter for a short while

- this is like prison
- 24 hours locked in room, can't take a shower, asked for medicine for insomnia
- he was banging on the door/wall during the call

13:34

16/06/2017

14:13, 14:14, 14:29, 14:31, 14:36, 14:38,

15:06 With an interpreter

- Guards hit me 3 times.
- Don't want to be moved to another cell, I have my human rights.
- Hav'n't been given my anti-depressant tablets, I can't sleep at night.
- That man was aggressive to me, he apologised after. After third time he hit me he sat on the bed next to me and was explaining something.
- they want me to move rooms, I'm not a racist, it is noisy. It is like a prison , I've never been in prison.
- That guard hit me 3 times, I've had an operation on my chest.
- Helpline operator asked should we call Brook House, he said I don't want to make things worse but you can.
- I want to stay in a room on my own, difficulty sleeping.
- I was wearing boxers, clothes in washing machine. Not offensive, athletes wear those kinds of shorts. The wing is not a public place
- Don't want to make things worse if you call, he might be the supervisor of the guards.
- Don't want to sleep on a top bunk, I won't be able to get up.
- Yesterday they were trying to move me, a younger guard came, strong build. I feel like I'm being targeted.
- Today the Portuguese threatened to kill me, to do with clothes in washing machine?
- that guard locked me up in my boxers.
- Yesterday the Portuguese tried to hit me with the snooker stick. Guards saw that and stopped him. He got away with it. He was not locked up in isolation room.
- Has an appointment with Solicitor on 19th.

- Wants to go to US or Canada, doesn't want to stay here and don't want a criminal record.
- Bulgarian citizenship was renounced on the call
- spoke about parents, sister and something against national security.
- was given the number 01293 657070 'Help for detained asylum seekers'. Told this helpline number he had phoned cannot help him.

17/06/2017

13:51 Without an interpreter

- he needs anti-depressants, can't sleep and another medication for memory?

19/06/2017

09:09, 09:12, 09:14, 12:04

20/06/2017

18:46

21/06/2017

09:35, 09:39, 09:42

27/06/2017

13:27, 15:20, 17:32

28/06/2017

17:26

29/06/2017

13:30 Without an interpreter

- the Detainee sounded agitated and banging on the door/hard surface and was shouting
- he had been "bit" or "hit" 3 times. (Difficult to make out)

14:19 Without an interpreter

- the Detainee sounded agitated and banging on the door/hard surface and was shouting
- been bitten 3 times by staff

14:24, 14:30, 14:45, 15:26,

15:44 Without an interpreter

- helpline operator advised the Detainee to phone the police if he has been abused
- he wants compensation, money.

16:17, 16:22, 17:54, 18:52

30/06/2017

16:43

11/07/2017

17:18,

17/07/2017 (The Detainee was at the Verne IRC when this call was made)

- 18:28

The Detainee's periods of stay at Brook House

The Detainee had 2 periods of stay at Brook House:

1) 9th June 2017 – 12th July 2017 (destination the Verne IRC)

2) 29th July 2017 - 1st August 2017 (destination Harmonswoth IRC)

Principal Documents Reviewed

Annex A – DAT Record of Detainee (entries exist between 9th June 2017 and 29th July 2017)

Annex B – Documentation received from ‘Security team’ at Brook House, Incident Reports, Security Information Reports, Use of Force Logs relevant to the Detainee.

Annex C –Staff rosters 10th June 2017, 11th June 2017, 16th June 2017, e mail from John Kench 7th November 2017

Annex D- Complaints to the Home Office

Annex E – Email follow up with DCM Steve Dix

Interviews

Annex F- With Detainee 6th November 2017. Handwritten name “Derek”. Photograph of Derek Murphy.

Documentary evidence of Detainee’s time at Brook House

Chronology

DATE	EVENT	SOURCE
9 th June 2017 (approx. 05:00)	Detainee arrival at Brook House from a Police Station. He had been disruptive at the Police Station	DAT entries by A Simmons
9 th June 2017 (11:50)	Detainee refused to move away from the B wing main door as he was blocking it. DCO McMillan pushed Detainee back with an open hand and though he attempted to resist he moved back to his room (101).	Incident Report Ref 410/17 and Use of Force Log number 146/17 by DCO Tamzine McMillan
9 th June 2017 15:30	Detainee (on B wing) keeps mentioning missing passports and laptop, which has more than 3000 images and music on it. Claims to have never been in a custodial environment before. Very erratic and disruptive behaviour when not given his own way. Comments on ‘Evaluation’ sheet confirm there is no information that this property was seized. Detainee was arrested for spitting on a Police Vehicle and he refused to leave their custody.	Security Information Report 1141/17 by DCO Tamzine McMillan.
9 th June 2017 (17:30)	Detainee banging constantly on his door (101), then pacing up and down the room shouting at himself. He spat at DCM London (Oscar 1) through the door and at the observation panel. He had thrown his kettle at the door and broken his cutlery set. When the Detainee sat on his bed DCM London entered the room. The detainee was behaving erratically, scratching at his face and shoulders, rocking back and forth and shouting erratically. DCM London escorted the Detainee down the end of B wing to the back staircase leading to the	Incident Report Ref 411/17 Parts Two and Three by DCM Nick London

	Care and Separation Unit ("CSU"). The Detainee attempted to grab pool balls but was intercepted. DCM confirms no use of force was used. Detainee was escorted to outside room 2 CSU and Level A search was carried out.	
9 th June 2017 20:55	Detainee is in CSU under Rule 40 for smashing up room, spitting at staff	DAT entry by D Murphy
11 th June 2017	Rule 40 completed and extended	Incident Report Ref 411/17 Part Three Security comments by Jason Murphy
11 th June 2017	Request that Detainee is referred for a mental health assessment.	E mail from Jason Murphy to Healthcare
13 th June 2017	Security ask Healthcare whether there are any mental health concerns with the detainee as his behaviour is erratic. Healthcare confirm the detainee is awaiting a RMN assessment on the 14 th June 2017 but the Detainee saw the doctor on 12 th June 2017.	Email exchange between Kelly Harris (Security Collator) and Chrissie Williams (Clinical Lead)
15 th June 2017	Moved to normal association	Detainee of interest meeting (added 03/07/17)
16 th June 2017 16:14	Detainee arrived on A wing	DAT entry by B Opoku
20 th June 2017 14:45-15:00	K Copping was working in the library when the detainee came in, asking to speak to the Manager of Brook House, he said he had been bitten by a staff member 3 times and wanted compensation. He would not leave and when DCO Small arrived K Copping walked the detainee back to E wing. K Copping felt very uncomfortable in E wing when the Detainee was staring at her, the staff told him to go to his room. The Detainee was very annoyed at this time.	Security Information Report 1217/17 by Kerry Copping DAT record entry by K Copping.
21 st June 2017 17:26	Seen by GWG in the corridor by Ana Emilia	DAT entry by G Mehraa
24 th June 2017 13:05	Requesting DCM Steve Dix speaks to Detainee re the biting claim, does he wish the police involved? To Healthcare informing them he is currently waiting for a 2 day assessment on single occupancy and could he be referred to the RMN. To Safer Community, for information.	E mail from Carrie Dance-Jones
26 th June 2017 05:46	Detainee repeatedly called the office through the intercom during the night as he wanted his medication. Healthcare had told him he had not collected it at the right time and must wait until the morning. He then repeatedly called for sandwiches and coffee. He had covered up his viewing panel.	DAT entry by J Edon
28 th June 2017 17:38	Came to use fax machine on B wing. Repeatedly and aggressively refused to leave wing when activities time was over, stating he was waiting for his fax confirmation.	DAT entry by M Ward
29 th June 2017 12:40	DCM states the Detainee came down to lunch on D Wing in his underwear and a T shirt. DCM Page told by other detainees this was not the first time the Detainee had done this. Detainee was not co-operative and told DCM Page he had been assaulted on 16 th June and wanted compensation. With the help of another detainee, DCM Page convinced the Detainee to return to his room to put trousers on. The Detainee returned to the food queue but wanted more food than what he had ordered. He held up the food queue which upset other detainees. He threw his food bowls was shouting and moved towards DCM Page. DCM Page took control of his	Incident Report ref 467/17 Parts One and Two Incident statement by DCM Page and DCO Williams. Use of Force Log Number 163/17

	right arm and DCO Williams took control of his left arm. The Detainee soon became reasonably passive, other than demanding food and compensation. He was taken to the CSU, room 3 for disruptive behaviour. During the search by DCO Parpworth before the Detainee could enter the room the Detainee would not raise his arms properly and so staff assisted holding his arms up. He demanded a television and food. Nurse Batchelor made a healthcare assessment of the detainee. DCM Page was unaware of any injuries to anyone involved. Nurse Batchelor comments on Section 3 of the UOF Log that the detainee was non-compliant answering questions at 13:42 during the examination. He pulled his top up showing injuries, however, no new red marks. Bruising, lacerations were noted. He does have multiple scarring from surgeries? Injuries prior to that day. No injuries	
3 rd July 2017 08:56	Detainee has been disruptive since his arrival. He claims he was bitten three times by staff. Still remains on Rule 40	Incident Report Ref 467/17 Part Three Security comments by R Harris
4 th July 2017 14:04	First warning given today on D wing for not wearing any trousers, he is walking around in his boxers, also for helping himself to toiletries in the wing office	DAT entry by A Murrey.
8 th July 2017 19:40	Detainee [REDACTED] on D wing complained that the actions of the Detainee were affecting his health ([REDACTED] suffers from PTSD) That the detainee is constantly banging his door day and night, constantly pressing the call button once locked up for lunch and dinner, stating issues about faxing. He annoys many detainees by walking around in his boxer shorts. He will not listen. DCO Brewster believes his behaviour is affecting the health of another detainee and he is putting himself at risk from angry detainees.	Security Information Report 1320/17 by DCO Mark Brewster.
8 th July 2017 21:53	All throughout yesterday night and tonight he has kept on pressing his buzzer every 4 seconds and shouting and swearing down the intercom.	DAT entry by R Dosanjh
9 th July 2017 13:39	Detainee caused a disturbance at lunchtime demanding the music in room 102 is turned off and demanding we mourn the death of his sister 27 years ago. He does not listen and talks/shouts over you.	DAT entry by M Brewster
9 th July 2017 13:56	Detainee came in to Welfare in the morning, demanding to call Human Rights Court. He comes every day for this and his calls are accommodated, he is abusing the service, calls up to 30 minutes at a time. He is also given calls to his solicitor and shelter that helps him. He also calls the US Embassy saying he is a citizen and wants to go there. He is extremely rude and aggressive, always shouting and demanding.	DAT entry by T Crepin
9 th July 13:59	When told to leave Welfare Detainee spat on the floor. He came back in the afternoon, shouting, hitting the door, eating his lunch. He was told to finish his lunch then he would be attended to.	DAT entry by T Crepin
9 th July 2017 14:37	Detainee barged in to wing office shouting extremely loudly at DCO Carr and DCO Brewster, demanding a free phone call. He eventually left the office and the wing with a plate in his hand. He is extremely angry.	DAT entry by DCO M Brewster
9 th July 2017	Pt C Detainee has been placed on to Rule 40 and force was used on him as he was aggressive towards an officer at the servery on D wing and then attempted to grab food from behind the servery. Force was used to re-locate him to CSU.	DAT entry by L Wren (29/07/17 20:48)
	Detainee was aggressive to DCM Dix at the D Wing Servery and DCM Dix placed him on Rule 40 with Use of Force. The	Incident Report Ref 496/17 By DCM S

	Detainee had also upset the Wing by walking around in his Boxers.	Dix. UOF log 173/17 by DCM S Dix, Care and Separation log 315/17 authorised by DCM S Loughton 18:00 9/7/17
10 th July 2017 01:53	Detainee banging on his door continuously stopping other detainees in B wing from sleeping Had chair and crockery removed and told completely unacceptable behaviour. Banging now stopped.	DAT entry by N London
10 th July 2017 02:21	Detainee resumed banging on his door (E wing) and making demands for 3 sandwiches (staff had given him 2), TV and phone credit	DAT entry by S Williams.
10 th July 23:40	Detainee started banging the door again and demands a TV and 3 sandwiches. Detainee told TVs are not allowed in CSU and if he stops banging getting a sandwich will be looked in to.	DAT entry by T McMillan
11 th July 2017 00:26	Detainee given a sandwich, he demanded 2 more and advised to make sure he eats his dinner when it is given to him.	DAT entry by T McMillan
11 th July 2017 10:38	2 bags of room clearance collect by DCO Croucher. (Detainee leaves CSU)	DAT entry by B Spark
12 th July 2017 03:25	Last night observations complete – no concerns at present.	DAT entry by T McMillan.
	Detainee leaves Brook House for the Verne.	
	No DAT entries seen for Detainee's second stay at Brook House between 29 th July and 1 st August 2017	

Review of the Detainee's phone calls against the documentary evidence of his stay at Brook House

-On his first day at Brook House (9th June 2017) the Detainee was moved to the Control and Separation Unit under Rule 40 because of very erratic behaviour, trashing his room and spitting at officers. He was therefore alone in his room on **10th June 2017** when he made his first calls to the EASS helpline. Obtaining his medication for insomnia was important to him at this time.

-Records and correspondence indicate that Rule 40 was extended, the Detainee saw a Doctor on 12th June 2017 and he was referred for a Registered Mental Nurse (RMN) assessment. Healthcare confirm this assessment took place, but the date of this is unknown. Patient confidentiality reasons prevent Healthcare providing any further information.

-The **16th June 2017** was a significant date for the Detainee. He made 7 calls to the EASS Helpline between 14:13 and 15:06. A Bulgarian interpreter was secured for the 15:06 call and on this call the Detainee says he had been hit by a guard three times, who then apologised.. He then mentioned he had had an operation on his chest. There is no documentation from Brook House to indicate Use of Force was used on the Detainee on this date. The only Use of Force paperwork concerning this Detainee existing at this time was on the 9th June 2017. There is an entry on the Detainee's DAT record on the 16th June 2017 at 16:14 to record the Detainee had arrived on A wing. It is possible that entry referred to the Detainee arriving on the wing in the morning, as 16:14 would have been a short time after the 15:06 call to the EASS Helpline had ended. No further DAT records

were made that day. Caz Dance-Jones, Security Manager confirmed the Detainee did not spend the night of 16th June 2017 on A wing, he returned to E wing from where he came.

The EASS Helpline operator offered to phone Brook House about the alleged assault she had just heard about. The Detainee was worried this might make things worse for him, but told her she could. The EASS helpline operator did not phone Brook House.

On the 29th June 2017 the Detainee mentioned the assault and the date of 16th June 2017 to DCM Page and on this date the Detainee called the EASS Helpline on seven occasions and on the seventh attempt he was heard with the help of an interpreter. It is therefore highly likely that something happened to the Detainee on the 16th June 2017.

The daytime roster for the 16th June 2017 was reviewed to see whether any employees written to by the BBC Panorama programme were on duty. Such employees on duty were:

Dave Webb and Steve Webb – C&R Instructors, not returning to shift after 'Escort/Training' duty
Sean Sayers - D Wing General Duties
Ryan Bromley – D Wing Escort Officer
Slim Bessaoud – Internal Patrol

No evidence has been found linking these employees to the Detainee. Caz Dance-Jones has confirmed CCTV footage for this date no-longer exists.

On the 15:06 call the Detainee confirmed he did not want to be moved to a shared room because he has difficulties sleeping. He was fearful of being given a top bunk and mentioned a younger guard of strong build tried to get him to move rooms the day before.

On this call the Detainee confirmed it was "the Portuguese" who tried to hit him with a snooker cue that day, but the guards intervened. He stated "the Portuguese" also threatened to kill him, something to do with an argument over the washing machine and as his clothes were in the washing machine he was walking around in his boxers which he didn't believe was offensive.

The Detainee mentioned he had a solicitor's appointment on the 19th June 2017 and if this took place, then it would have been another opportunity to tell someone outside of Brook House about an assault by an officer. There is no record of a Solicitor's complaint concerning the Detainee being received.

-On **17th**, and **19th June 2017** the Detainee phoned the EASS Helpline again on five occasions.

-On **20th June 2017** the Detainee made the allegation to the librarian that he had been bitten by a staff member three times and wanted compensation. A Security Information Report was written and also DAT entry for this allegation. As per the documentation provided by Brook House this is the first time the Detainee had made an allegation of assault.

Caz Dance-Jones requested DCM Steve Dix to follow up and speak to the Detainee about this allegation, (did he wish to involve the Police?), but has no record of a response. As part of this investigation DCM Steve Dix was asked in writing on the 24th September 2017 had the follow up taken place.

He responded "I am pretty sure I did speak to him in his room about this allegation, from what I can recall he did not seem bothered about the allegation and I asked him about the police and to which he did not want any other follow up and almost brushed it away." This response was vague and there is no information as to when it took place. (Annex F)

The Detainee continued to call the EASS Helpline and on 29th June 2017 told them he had been bitten three times by staff and wanted compensation, money. The EASS Helpline operator advised the Detainee to phone the Police if he had been abused.

These calls were without an interpreter and followed the Detainee's removal from D wing to the Control and Separation Unit for disruptive behaviour and 'Use of Force' was used on him. Nurse Batchelor made a healthcare assessment of the Detainee at this time: he pulled his top up showing injuries, however no new red marks. Bruising, lacerations were noted and he had multiple scarring from surgeries, all injuries prior to that day. The fact that bruising, lacerations were noted on the Detainee could be consistent with an assault 13 days earlier on the 16th June 2017. Nurse Batchelor also noted the Detainee was non-compliant answering questions during this assessment.

The Detainee made single calls on two further dates to the EASS Helpline and then a call while at the Verne IRC.

Information provided by the Detainee at interview on 6th November 2017 **(Annex F)**

The Detainee was interviewed at Morton Hall IRC on 6th November 2017 and would have been told prior to the visit his visitor was from G4S.

The Detainee presented as calm, polite and prepared for the interview, immediately willing to recount his version of events. The Detainee's command of English had noticeably improved from the telephone calls made in June 2017 to the EASS helpline, however, the Bulgarian interpreter was still required. The Detainee would provide lengthy answers to questions, going off on tangents, including his personal history prior to Brook House and at times did speak over the interpreter.

-The Detainee stated he was punched, a single punch on each of three occasions:

on 10th June 2017 a punch to his left leg (in the morning) Eden Wing Room 3

on 11th June 2017 a punch to his left side (in the afternoon)

on 16th June 2017 a punch to the left side of his face (time of day not known) Eden Wing office

The same guard punched him on the three occasions, he was called Derek, about 60 years old, 2 metres tall, big strong man with a goatee white beard.

-The Detainee recalls G4S witnesses on all three occasions

on 10th June 2017, a boy (young guard)

on 11th June 2017, a white man with a tattoo, strange hair and an earring

on 16th June 2017, a manager, nice man, about 55 years old, white shirt, red tie. The Manager told Derek to apologise to the Detainee, which he did.

-Though the Detainee used the word "bitten" in interview, at the same time he demonstrated punches.

-The Detainee did not remember a Manager coming to talk to him later in June 2017 about the incidents and whether he wished to inform the Police, though he stated it was possible it happened.

Evaluation of the Interview information

-It is new information that the Detainee alleges he was assaulted on the 10th and 11th June 2017 by "Derek". A review of the staff rosters for these dates shows that Derek Murphy was down to work both days and was believed to be the only "Derek" working. The description the Detainee gave of "Derek", matches that of Derek Murphy in the opinion of the Investigator. Derek Murphy's name did not appear on the staff roster for the 16th June 2017 (the third alleged assault date), however, John Kench, Central Detail Manager confirmed Derek Murphy worked on the 16th June 2017 as overtime and confirmed he did work on the 10th and 11th June 2017 as planned. It is therefore believed the "Derek", the Detainee alleges assaulted him, is Derek Murphy.

-The Detainee's account of his poor and aggressive behaviour at the time; hitting the door, shouting, kicking and stressed etc., is consistent with his behaviour on the calls to the EASS helpline and generally with the records provided by Brook House, that he was in the Care and Separation Unit on Rule 40 for such behaviour and worse. Given the state of mind of the Detainee at the time, he was still able to take in and recall detail of what was happening around him.

-That the last alleged assault occurred on the 16th June 2017 is consistent with a call to the EASS Helpline on that day in which he said he had been hit by a guard three times and apologised to later. The Detainee was not aware the Investigator had listened to his phone calls to the EASS Helpline.

-Information provided on witnesses to the alleged assaults may provide enough information to Brook House management to look at the rosters and the descriptions given to identify who the witnesses might be.

-The interview raises further doubts as to whether DCM Steve Dix actually spoke to the Detainee about the alleged assaults later in June 2017, he did not report on it and was not chased up on it by Caz Dance-Jones.

Given the seriousness of the allegations and the detainee's poor English the use of an interpreter would have been needed to get any useful information from the Detainee, not least that the alleged "bites" were alleged "punches".

-No Use of Force or Incident Reports were provided by Security Department concerning the Detainee for the three dates. "Derek" himself had a responsibility to do so had any contact been made and any witnesses also had a responsibility to ensure they had been written.

Other points of note

-the Detainee was added to a Brook House 'Detainee of Interest' list on 3rd July 2017 and the biting by staff accusation on 20th June 2017 was included in the detail of this. This information would have been discussed with the Home Office and other IRC centres at the EDB telephone meeting on 4th July 2017. Brook House were therefore not concealing the biting accusation.

-This Investigation relied on the Security Department at Brook House providing all relevant information held by them on the Detainee. They failed to provide the documentation relating to the DCM Steve Dix Incident Report and Use of Force on 9th July 2017, which only came to light when DCM Dix mentioned it in an email.

Recommendation: *The Security Department at Brook House are made aware that a request to them to provide all information they held on a detainee was not complete and to consider what improvements are needed to ensure similar requests are answered fully in future.*

-There are a lack of DAT entries concerning this detainee, there are none whatsoever for his second stay at Brook House between 29th July 2017 and 1st August 2017

Recommendation: *the guidelines to staff on completing DAT entries are re-issued and reinforced*

-Brook House contacted Harmondsworth IRC to request they carry out a welfare check on the Detainee, when this Speak Out case came to light, they reported that the Detainee was well.

-A check on whether the Detainee made complaints to the Home Office during his stays at Brook House, produced no results. He did however make two complaints to the Home Office, one a complaint against his caseworker and one at the Verne IRC.

-The Welfare Department at Brook House received many visits from the Detainee. Officer T Crepin made two entries on the Detainee's DAT record on 9th July 2017 to record the Detainee's unacceptable behaviour. In conversation, Officer Crepin added that the Detainee spoke to her about getting compensation, but she could not remember what for

and on one occasion she was informed by a Bulgarian interpreter the Detainee was using racially abusive language towards her.

Conclusion (Original) 26th September 2017

- The 16th June 2017 was the date the Detainee called the EASS Helpline seven times and when successfully connected with a Bulgarian interpreter on the seventh occasion told them he had been assaulted three times by a guard at Brook House, who apologised later. This is also the date when Brook House attempted to move the Detainee from E wing to A wing, without success, as the Detainee spent that night back on E wing. The Detainee was also worried on the 16th June 2017 call that if the EASS Helpline operator contacted Brook House it could make things worse for him. On a later date, 29th June 2017 the Detainee told DCM Page of Brook House he had been assaulted by staff on 16th June 2017. On 29th June 2017 Nurse Batchelor noted bruising and lacerations on the Detainee, not arising on that day.

Based on this consistency on dates and the worry expressed by the Detainee it is highly likely there was some sort of incident involving the Detainee and an officer and it is possible the Detainee suffered some kind of assault at the hands of the officer. No evidence has been found to support this assault allegation.

- On the 20th June 2017 the Detainee informed the Brook House librarian he had been bitten three times by staff and wanted compensation. He did not provide a date or dates for this. No evidence has been found to support this assault allegation.

It is possible the Detainee changed the assault allegation of 16th June 2017 into a biting assault allegation for effect and then added the demand for compensation to it.

- The evidence suggests that the Detainee was an angry individual, racist, disruptive, unpopular with fellow detainees (noisy outbursts especially at night, disturbing meal time routines and walking around in his boxer shorts) and threatening to staff on the wings and in welfare. The Detainee was on medication and prone to erratic behaviour, such that a RMN assessment was carried out., He pulled back from striking officers, but when 'Use of Force' was used on him, complied with instructions.

Against this background and his poor English language skills, the Detainee chose to call the EASS Helpline repeatedly and had some success in getting heard. He had the opportunity to make complaints to other parties such as the Home Office, Police and his Solicitor about his time at Brook House, but there is no evidence that he did

so. He was given the number of the Detainee Support Group at Gatwick, but there is no record that he contacted them or that they took up his case.

Conclusion (additional) 8th November 2017)

In interview the Detainee provided three dates for the alleged assaults on him at the hands of "Derek". He gave a description of "Derek", which in the opinion of the Investigator matched that of Derek Murphy. (The Investigator interviewed Derek Murphy in connection with the BBC Panorama allegations and so is familiar with his appearance.)

Derek Murphy was working at Brook House on all of the three dates and it is recommended he is interviewed about the allegations together with any possible witnesses identified from the descriptions provided by the Detainee.