

To: Name Irrelevant

From: Alan Gibson
Head of Operations
Detention & Escorting Services
Immigration Enforcement

SCS: Clare Checksfield

22 March 2017

PANORAMA ALLEGATIONS AGAINST G4S STAFF AT BROOK HOUSE

1. At the meeting to discuss Professional Standards Unit (PSU) investigations and Brook House on 20 February, we undertook to provide you with a definitive account of what the Home Office knew about the Detainee Custody Officers (DCOs) against whom allegations were made and the outcome of associated investigations.
2. There were 17 members of G4S staff identified within the material Panorama provided before the broadcast, or from the broadcast footage, details of which are provided at Annex A.

Prior allegations

3. Of these 17, seven had been the subject of serious complaints in 2016 and 2017 and were investigated by PSU (table 1 below). These investigations were prior to and unconnected with the Panorama allegations. On the date on which we were made aware of Panorama's allegation (24 August 2017) there were six outstanding investigations into the activities of five DCOs (highlighted in table 1 below). None of these investigations were based on allegations that subsequently featured in the Panorama material.

DCO	Nature of complaint	Date received	Date concluded	Outcome
DCM Steve Webb	Assault	08/08/2017	24/10/2017	Partly unsubstantiated
DCO Derek Murphy	Assault [1]	21/06/2016	19/07/2016	Unsubstantiated
	Assault	22/06/2017	11/09/2017	Unsubstantiated
	Assault [2]	20/10/2016	21/12/2016	Partly substantiated
	Assault and neglect [3]	03/07/2017	15/09/2017	Unsubstantiated
	Assault [4]	12/07/2017	04/10/2017	Unsubstantiated
DCO Dave Webb	Assault [1]	21/06/2016	19/07/2016	Unsubstantiated
DCM Nathan Ring	Assault [1]	21/06/2016	19/07/2016	Unsubstantiated
	Sexual Assault	10/03/2017	28/04/2017	Unsubstantiated
DCM Chris Donnelly	Assault [2]	20/10/2016	21/12/2016	Partly substantiated
	Assault and neglect [3]	03/07/2017	15/09/2017	Unsubstantiated
DCO Aaron Stokes	Sexual Assault	03/07/2017	06/09/2017	Unsubstantiated
	Assault [5]	03/07/2017	21/09/2017	Unsubstantiated
DCO Sean Sayers	Assault [5]	03/07/2017	21/09/2017	Unsubstantiated
	Assault [4]	21/07/2017	04/10/2017	Unsubstantiated

Table 1: DCOs with PSU investigations underway when Panorama allegations were received.

NOTE: [1], [2], [3], [4] and [5] denotes same incident and complainant.

4. On 24 August one of these DCOs (Aaron Stokes) had already resigned from G4S.

Panorama allegations and investigations

5. Having assessed the written material provided by Panorama and then the broadcast, G4S took the decision to suspend a total of 10 members of staff (9 DCOs and a nurse) and move one DCO to non-detainee contact duties. The IE Certification Team also suspended the DCO certification of the 9 DCOs who had been suspended by G4S. The information on the other staff members identified in Panorama's papers did not merit such action. Within that group of 10 were three of the DCOs who had been under active investigation prior to Panorama's allegations (S. Webb, Murphy and Sayers) and two (Ring and D. Webb) who had been subject to previous investigation (table 1 above).
6. One of the DCOs identified by Panorama (Yan) Paschali) left G4S and subsequently joined the Home Office prior to the broadcast. He was suspended from duty on 25 August 2017 and following

a Home Office investigation was dismissed on 21 September 2017. The allegations against this individual form the core of the **ongoing criminal investigation** being undertaken by Sussex Police.

7. Within 24 hours of being written to by Panorama G4S had referred the allegations to Sussex Police, contacted the Local Authority Designated Officer (LADO) and informed the Manager of the Sussex Adult Safeguarding Board. Within 48 hours they had initiated investigations into the specific allegations and a separate review of process and procedures within Brook House.
8. The G4S investigations into the allegations and behaviour of staff identified in the Panorama material were all concluded, including any internal appeals by 13 October 2017. During the course of their investigations G4S identified four more members of staff whose behaviour or actions required review. That brings the total number of serving G4S staff investigated by G4S to 19. Of those 19, six were found to have no case to answer (Donnolly, Bassoud, Bromley, Earl, Loughton and Croucher), one given a verbal warning (D Webb), three received written warnings (Lake, Opoku, Small), three more final written warnings (S. Webb, Sayers and Murphy) and six were dismissed (Connolly, Francis, Fraser, Ring, Saunders and Buss).
9. Having been notified of these outcomes the IE Certification Team reviewed the cases of the seven individuals for whom the sanction awarded by G4S fell short of dismissal. Of the three who had received written warnings, two (Lake and Small) resigned before the review could be undertaken but their certification records have been flagged in case they seek employment with one of our other providers. In the cases of the other written warning (Opoku) and the verbal warning (D. Webb) the Certification Team concluded that the cases against them were not sufficiently serious to revoke certification. In the cases of the three officers who were given final written warnings the Certification Team considered their behaviour to have been inconsistent with the standards expected of a DCO. All three had their certification revoked and all were subsequently dismissed by G4S. That brought the total number of dismissals by G4S to 9 (Connolly, Francis, Fraser, Ring, Saunders, Buss S. Webb, Sayers and Murphy).
10. DCO D Webb was subsequently dismissed by G4S on 5 March 2018 for inappropriate behaviour on a staff training course. Of the individuals against whom serious allegations had been made in 2016 and 2017 (table 1 above) only one (Donnelly) remains employed by G4S.

Litigation and further allegations of abuse

11. Although involved in the HO departmental response to the Panorama allegations PSU were not commissioned to undertake any investigations into the conduct of the officers identified. We considered the G4S and police investigations to be sufficient for this purpose and felt it prudent to continue to have the option to deploy PSU, should we have concerns over the rigour or quality of the G4S process and to meet any further challenges to the process.
12. However, during the course of October 2017 a significant amount of litigation was initiated by detainees who had been held at Brook House alleging abuse and failings in procedure. Much of this litigation challenged the failure of the Secretary of State to announce an Article 3 (of the European Convention on Human Rights) compliant inquiry into allegations of mistreatment of detainees at Brook House following broadcast of the Panorama programme as well as individual breaches of Article 3.
13. In line with Home Office published guidance on the handling of complaints and commissioning of investigations, the allegations of serious misconduct contained in legal correspondence were referred to PSU for investigation. Ten cases in total were referred. Of these, seven were accepted, with the remaining three considered to be out of scope of the unit's investigative powers as they contained only allegations against detainee behaviour made by other detainees and based only on witness evidence. In all but one case (that of **D1527** – see below) the allegations being made were new and did not relate to incidents reported by Panorama and had not been investigated by G4S.
14. The terms of reference for the PSU investigations was agreed on 22 November 2017 and 6 have been completed with reports now received in IE. The seventh investigation has been delayed as the complainant is currently unfit to be interviewed by PSU or the police. However, his case is also subject to ongoing litigation. All the reports are comprehensive and extensive and are still being considered but all have been forwarded to G4S to provide us with a response and we are working with GLD to respond formally to their contents in the context of the ongoing litigation. These investigations reviewed the actions of 43 staff at Brook House, 37 of whom were G4S custodial

staff, four HO staff and two G4S healthcare. Of the seven investigations, one was heavily based around an incident which was central to the Panorama programme, in which an officer is seen apparently strangling detainee, **D1527**. With two exceptions, all of the officers investigated in relation to **D1527** case were already subject to G4S investigation and had been dismissed (DCOs Ring, Sanders, Fraser and Francis). The two exceptions were Callum Tulley, the Panorama reporter who left G4S prior to the broadcast, and Yan Paschali, the individual who left G4S to join the Home Office from where he was dismissed.

15. Other than those involved in the **D1527** case, only three G4S officers identified by Panorama also feature in the allegations investigated by PSU. Two are currently employed by G4S at Brook House (DCOs Donnelly and Opoku), the third (DCO D Webb) was dismissed on 5 March (see above). The allegations about which the two remaining staff were interviewed related to an unlawful removal of a detainee in his brother's identity – this was partially substantiated but the DCO in question (Opoku) was only marginally involved; and an alleged excessive use of force incident which was unsubstantiated but in which the officer in question failed to activate his body worn video (Donnelly).
16. The four Home Office staff featured in a single investigation **D3890** relating to failure to prevent unlawful removal from the UK in his brother's identity.
17. With the exception of the **D1527** case, which is the focus of the Sussex Police criminal investigation, PSU have not found any allegation relating to abuse or assault to be substantiated. In the case of **D668** PSU did find evidence that an officer had spoken rudely to him, that two complaints from him had gone unactioned, that he had received no feedback having indicated to staff that he had felt unsafe and that issues with the IT at Brook House may have hindered his ability to email his lawyers. In the case of **D3890** PSU consider that there had been procedural errors within the HO and G4S teams at Brook House which had led to the mistaken removal of **D3890** in his brother's identity in March 2016. In the three remaining investigations PSU found that the available evidence did not substantiate any of the allegations made.
18. There are elements of certain investigations beyond PSU's remit, mainly in relation to concerns about healthcare, which NHS(England) will consider, but also wider concerns about policies.

Next steps

- G4S have been sent copies of the PSU investigation reports and have been asked to respond.
- The Home Office and GLD will formally respond to representatives in respect of the allegations of failure to implement an Article 3 compliant inquiry and individual claims of breaches of Article 3, 5 and 8 **D1527**
- We will continue to closely monitor G4S progress against their action plan.
- We will continue to implement our action plan, including establishing a mechanism for drawing together all sources of information which might indicate risks to staff integrity within the detention estate.

Copy List

Name Irrelevant

Annex B – Summary of PSU Article 3 investigation conclusions

D1527

- To investigate the incident from the Panorama programme in which an officer called 'Calvin' boasted that he hit **D1527** head against a table and bent back his fingers, on or around the 9 April. **SUBSTANTIATED**
- To investigate the incident in the Panorama programme of officer Nathan Ring mocking **D1527** while he had a phone battery in his mouth. **SUBSTANTIATED**
- To investigate the alleged assault on **D1527** on 29 April 2017, by Officer Yan Paschali who is seen on the Panorama programme footage to be kneeling over **D1527** with his hands around **D1527** neck choking and verbally abusing him. **SUBSTANTIATED**
- To investigate allegations Officer Yan Paschali directed the nurse not to write up the incident and officers talking about the incident in a derogatory fashion afterwards. **SUBSTANTIATED**
- To investigate whether Brook House IRC officers failed to ensure provision of medical healthcare. **UNSUBSTANTIATED**
- **D1527** stated that on 4 May 2017 he was assaulted in his room by officers before he was moved to Rule 40. **UNSUBSTANTIATED**
- To investigate whether Brook House IRC officers failed to ensure provision of medical healthcare. **SUBSTANTIATED**
- To investigate whether the use of force on **D1527** on 25 April 2017 was not properly documented and therefore when he saw the doctor the following day the appropriate support was not offered. **UNSUBSTANTIATED**
- To investigate whether **D1527** being repeatedly removed from association, put into segregation, and repeatedly locked in his room was as an unacceptable means of managing his mental illness and/or as punishment for his disturbed behaviour. **UNSUBSTANTIATED**

Further issues raised by representatives:

- **D1527** stated that on 4 May 2017 he was assaulted in his room by officers before he was moved to Rule 40. **UNSUBSTANTIATED**
- That staff discriminated against **D1527** because of his religion and criminal record. **UNSUBSTANTIATED**
- To investigate whether the use of force on **D1527** on 25 April 2017 was not properly documented and therefore when he saw the doctor the following day the appropriate support was not offered. **UNSUBSTANTIATED**
- To investigate whether **D1527** being repeatedly removed from association, put into segregation, and repeatedly locked in his room was as an unacceptable means of managing his mental illness and/or as punishment for his disturbed behaviour. **UNSUBSTANTIATED**

D687

- Brook House IRC detention officers in general and specifically Detainee Custody Officers (DCO) Marina Mansi, Luke Instone-Brewer, Babtunde Fagbo, an unknown black female officer and Detainee Custody Manager (DCM) Steve Webb were verbally and racially abusive towards **D687**. During an incident in November 2016 outside **D687** room, a white male DCO pushed **D687** into his room. **UNSUBSTANTIATED**
- After signing a petition about food quality in 2016, **D687** suffered reprisals from the DCOs. **UNSUBSTANTIATED**
- Incorrect information was provided in a complaint response from G4S on 26 April 2016 that suggested **D687** had convictions for sexual assault when he did not and that this false information was

passed to detainees by DCOs and specifically DCO Marina Mansi, and **D687** suffered reprisals from detainees because of this. **UNSUBSTANTIATED**

- The provision of mental health treatment in Brook House IRC fell short of expected standards. **UNSUBSTANTIATED**
- Officers used excessive force when restraining **D687** in the toilet area of the Discharge Waiting Area on 13 May 2017 to prevent **D687** from committing suicide as featured on the BBC Panorama documentary. **UNSUBSTANTIATED**

D668

- On 29 June 2017, prior to leaving his room, Detainee Custody Manager (DCM) Darren Tomsett was rude to him saying "pack your stuff and get out!" **D668** was later mocked by G4S officers when he returned to Brook House IRC reception following a failed removal. **UNSUBSTANTIATED**
- On 12 August 2017, **D668** alleged a fellow detainee threw a bucket of water on him and his friend, which he reported to a G4S officer but no action was taken. **SUBSTANTIATED**
- On 17 or 18 August 2017, **D668** alleged he was assaulted by a fellow detainee on the staircase, which he reported to a G4S officer but no action was taken. **UNSUBSTANTIATED**
- On 24 August 2017, prior to a visit from his brother, **D668** alleged he was 'frisked extremely aggressively' by DCM Darren Tomsett which intimidated him. **UNSUBSTANTIATED**
- In July 2017, Brook House officers informed the doctor not to complete his Rule 35 assessment fully. **UNSUBSTANTIATED**
- On 17 July and 07 September 2017, a nurse in healthcare had been rude to him denying him access when the waiting room was not full and asking him to reveal medical details in front of other detainees. **UNSUBSTANTIATED**
- On 13 September 2017, he was spoken to very rudely by a DCO called Bonnie (identified as Bonnie Spark) during the lock up for the evening mealtime. **SUBSTANTIATED**
- On 16 September 2017, he attended a meeting with the care officer and a form was filled in about his complaints. He indicated he did not feel safe in Brook House IRC but had no feedback so felt neglected and that G4S officers did not care. **SUBSTANTIATED**
- On 26 or 27 September 2017, items were stolen from his room in his absence. When he spoke to the wing manager he was told an investigation would take place but nothing happened and he felt angry that this behaviour had been sanctioned and he had received no reassurance this would not happen again. **SUBSTANTIATED**
- The IT system at Brook House IRC is so bad that made it difficult for him to send emails to his lawyers. **PART SUBSTANTIATED**
- The toilet facilities in his room were inadequate and lacked privacy (causing him humiliation when using during times when his room was locked). **UNSUBSTANTIATED**

D3890

- To investigate allegations that Brook House IRC officers (G4S and Home Office staff) failed to act on **D3890** concerns that he was being removed from the United Kingdom to Somaliland on 14 March 2016 in the incorrect identity. **PART-SUBSTANTIATED.**

D191

- That excessive force was used during a restraint by an officer called 'Steve' who caused pain to his hand. **UNSUBSTANTIATED.**
- That he was segregated for 2 days on one occasion and a further occasion when he was unconscious. **UNSUBSTANTIATED.**
- That Brook House Officers did not take him to healthcare for treatment when he was unconscious.

D1538

- That **D1538** was pushed, slapped and removed to Rule 40 on 3 June 2017 (date needs to be checked during investigation) when he was denied use of the computer room. **UNSUBSTANTIATED.**
- That on 28 June 2017 a DCO made homophobic comments towards him. **UNSUBSTANTIATED.**