

## **BROOK HOUSE INQUIRY**

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### **First Witness Statement of Simon Murrell**

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I provide this statement in response to a request under Rule 9 of the Inquiry Rules 2006 dated 14 July 2021.

I, Simon Murrell, date of birth DPA, of Brook House IRC, Perimeter Road South, Gatwick Airport, West Sussex RH6 0PQ, will say as follows:

#### **Introduction**

1. In so far as the contents of this statement are within my own personal knowledge, they are true, otherwise they are true to the best of my knowledge, information and belief.
2. The answers provided below are to the best of my knowledge and recollection, with reference to the documents noted in the Rule 9 request and to a limited set of documents drawn to my attention by those advising me in the period provided for drafting this statement. Should the Inquiry wish me to consult any other documents, I would of course be able to do so if given sufficient time.

#### **Background**

3. I began my career in March 2004 as a DCO at Tinsley House IRC, employed by Wakenhut which subsequently changed to GSL after a contract change. In December 2008 I moved to Brook House as a DCM when G4S took over the contract from GSL, where I remained until approximately August of 2009, at which point I returned to Tinsley House, where I worked as a DCM from approximately August 2009 to February 2013.
4. I joined the Home Office as an Immigration Officer, working in the South London Immigration, Compliance and Enforcement Team, in February 2013. In October

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2015, I left the Home Office to take up a role as an Executive Officer in HM Land Registry, where I remained until January 2017.

5. I returned to the Home Office in January 2017 as an Immigration Liaison Officer, in the Immigration Enforcement International Department. I was based in Apollo House in Croydon. I remained there until January 2018.
6. In January 2018 I began work as Compliance Manager at Brook House, working for Detention and Escorting Services. I held this role until November 2019 where I was seconded as Mobilisation Lead for Gatwick IRCs new contract with Serco. I returned to my Compliance Manager role in November 2020. I was then seconded to a Commercial Manager position for Gatwick IRCS from April 2021 until June 2021. At which point I was promoted to Area Manager for the Gatwick IRCs, also for Detention and Escorting Services.

**Attendance at Brook House and my role at Brook House**

7. As will be clear from the above, I was not based at Brook House, nor involved with its operation, during the period from August of 2009, until January of 2018. It follows that I have no experience or knowledge of Brook House during the relevant period, and can only answer the Inquiry's questions by reference to the period from January 2018 to present.
8. Since I started my role for the Home Office at Brook House there have been two teams. The Detention Engagement Team (DET – formerly called the Pre-Departure Team (PDT)) and the Compliance team. In January 2018, I took up the post as Compliance Manager for the Compliance team, at the time I was responsible for two Deputy Compliance Managers which grew to four. Our role was to monitor the contract between the Home Office and G4S ensuring their compliance to this as well as compliance with Detention Service Orders (DSO) and DC Rules. The DET act as a conduit between the detainee's case worker and the detainee, delivering case updates and serving official paperwork. I am unable to comment on changes to the team in 2017 as I was not in post at this time. I am also not able to provide a copy of my job description during the relevant period.

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9. From January 2018 I have worked 37 hours per week based at Brook House. I am based in the Immigration Office at Brook House. As part of my job, I would conduct regular inspections of the IRC as part of my compliance duties, visiting most areas of the IRC.

10. From June 2021 I became the Area Manager at Gatwick IRCs (Brook House, Tinsley House and Gatwick Pre-Departure Accommodation. My key responsibilities are:

- Working in partnership with supplier to ensure effective and efficient delivery of contractual custodial services at Gatwick IRCs.
- Working with internal and external partners to ensure that Gatwick IRCs fulfils its role in delivering Home Office objectives while also ensuring that those detained are held in a safe and secure environment which appropriately meets their personal welfare needs.
- Leading three small teams, overseeing the operational, assurance and contact management function of the team, ensuring that operational KPIs and legal obligations are met.
- Ensuring that contracts are monitored and delivered effectively and that those who are detained are managed appropriately according to the Detention Centre Rules and Operating Standards and Detention Service Orders.
- Working proactively with contractors to develop services which meet operational requirements, identifying areas for change and efficiency savings, making the necessary contract changes where appropriate.
- Hosting visits/inspections, making the necessary arrangements and providing information requested.
- Covering local and national on call duties on a shared rota basis.

- Oversight of all requests for information (FOI, litigation etc.), providing required information with consideration to information disclosure guidelines.
- Oversight of all third-party recommendations and contract non-compliances, tracking these through to completion and reporting on progress accurately.

### **The Contract**

11. Since my appointment in January 2018 as Compliance Manager I understood that the contract was for G4S to run all aspects of the IRC including the care and welfare of detainees, services such as facilities management, cleaning and catering, as well as the security of the IRC.
12. As Compliance Manager my role was to assess failures of the contract under the KPI schedule and decided whether penalties be issued based on any mitigation provided by G4S. My team and I would also report failures we identified to be discussed at weekly contract review meetings.
13. I did not find there to be any particular area of “focus” on KPI failures during my time as Compliance Manager, and all aspects of the contract were assessed.
14. KPIs were reviewed weekly and applied at the end of each month unless there was an ongoing issue, e.g. a bedroom out of use because items were on order.
15. I know that monthly performance was shared at monthly contract review meetings (MCRM) with the Home Office Area Manager, Home Office Delivery Manager, G4S Centre Director, G4S Deputy Director and Home Office Commercial Manager. Penalties set out in the contract with G4S under Schedule G were applied if applicable and data provided by G4S was discussed and actions taken and recorded in the minutes of the MCRM.
16. Since my appointment in January 2018 as Compliance Manager, I remember that some specific key performance indicators focussed on care and welfare such as

“Health and Safety”, “failure to release a detained person”, “substantiated complaints”, “failure to provide communication or see a legal advisor”, “failure to offer a regime opportunity” and “self-harm resulting in an injury where set out procedures were not followed”. These KPIs existed in the contract between the Home Office and G4S for the whole term of the contract. In addition to this, care and welfare was discussed at the MCRM.

17. I recall statistics related to welfare of detained persons were required to be reported such as number of ACDTs, self-harm statistics, as well as issues raised from detained person such as quality of catering.

### **Welfare of detained persons and Detainee Forum Meetings**

18. The Inquiry has requested that I answer a number of questions relating to the operation of the Adults at Risk Policy and Rule 35 process at Brook House during the relevant period, as well as the existence and frequency of Detainee Forum Meetings. I was not working within Brook House during the relevant period and cannot comment upon these issues.

19. Currently, the Compliance Team at Brook House monitors the application of the Adults at Risk Detention Service Order at Brook House. The Compliance Team report to me and have not raised any concerns over the current operation of this Detention Service Order. Management of the Rule 35 process is by the Home Office Detention Engagement Team (DET).

### **Complaints**

20. Since my appointment in January 2018 as Compliance Manager, my understanding is that complaints that are made can be verbal or in writing and are sent to the Detention and Escorting Services (DES) complaints team who allocate the complaint to the relevant department to investigate and make any actions. Local level complaints, whether investigated by G4S or local Home Office are quality assured at a rate of 20% (or 100% if less than 5 complaints) each month by the Home Office compliance manager. The instruction for quality assuring complaints

comes from Detention Service Order DSO 03/2015 Handling of Complaints. Paragraph 41, which states: *“Home Office Delivery Managers will carry out a monthly dip sample of responses in order to monitor the quality of initial responses and work with IRC suppliers and others in cases where they are deemed to be unsatisfactory. Any concerns about the quality of responses which cannot be resolved locally will be escalated to the Head of Detention Operations who will be responsible for taking action with the IRC supplier.”* Although the instruction states the Home Office Delivery Manager completes monthly dip-sampling this is in practice delegated to the local Compliance Manager. The instruction to complete 20% of completed complaints each month has come from the DES Complaints Team. If the complaint response falls below the standard required (as set out in the quality assurance spreadsheet used by Detention and Escorting Services (DES) Compliance Managers, which is taken from Detention Service Order for complaints on what a response must include), the compliance manager would raise this with G4S management setting out the failings and have the investigation and/or the response re-sent to the required standard. The complaints are selected at random unless it has been brought to the attention of the Compliance Manager that a response by the centre supplier is inadequate e.g. IMB may have seen a response and think it is not of an adequate standard. The quality assurance consists of checking complaints against the following criteria to ensure all aspects are recorded and responded to correctly; reference number / date / subject matter, investigator’s name / position / contact details, what the investigation involved, confirm issues / provide clear answers, apology / advice / what will be done, clear outcome given, no jargon / slang used, no inappropriate language / abbreviations / acronyms used, spelling / grammar at a good standard, no bullet points or lists, independent review advice referred to, and manager contact details present. Any feedback given to the centre supplier is noted and where any further action is needed, e.g. response to be rewritten, or further investigation needed.

21. PSU investigate complaints deemed to be serious by the DES complaints team. I do not know the appeal system for PSU outcomes, but I assume the complainant has the same right to use the Prison and Probation Ombudsman as a minor complaint.

22. Since my appointment in January 2018 as Compliance Manager I know the compliance team at Brook House empty the complaints boxes throughout the centre each day. If any complaints are present, they are scanned and emailed to the DES complaints team. Other than managing the team that undertakes this role (until November 2019 and between November 2020 and April 2021), and quality assuring local level complaints, I have not had any substantive role in the complaints process.
23. I do not recall ever receiving a complaint and referring it on for investigation. I have given feedback to G4S during my time as Compliance Manager at Brook House, this is noted on the quality assurance spreadsheet referred to in paragraph 20. My comments on the relevant complaint are noted there. I do not have any suggestions for how the complaints process might be improved.
24. When healthcare complaints are submitted directly to healthcare staff the Home Office staff do not see these. When a healthcare complaint is placed in an Immigration Enforcement complaints box the Compliance Team will pass this to the healthcare team to action and no further action is made by Home Office staff.

**Contact with detained persons**

25. I did not have any contact with detained persons during the relevant period. My current role as Area Manager means I have less contact with detained individuals in comparison to my previous roles. Home Office Compliance Team staff see detained individuals on a daily basis whilst carrying out monitoring functions. My team have specific interactions during wing forums where a member of my team will represent the Home Office Compliance Team. All wings have a forum between detained individuals, Serco staff and a member from the Home Office Compliance Team so that all detained individuals have the opportunity to voice any concerns, comments or suggestions directly to Serco or the Home Office every week. My team also represent the Home Office Compliance Team at reviews of detained individuals whilst they are subject to Detention Centre (DC) Rule 40 and 42. They will speak with the detained individual as part of a multi-disciplinary team review to decide whether the continued use of DC Rule 40 or 42 is necessary.

## **Culture**

26. I am asked to comment upon the culture of Brook House during the relevant period, and a view on staff morale before, during, and after the relevant period. I am unable to do this, as my lack of experience of the centre during (and before) the relevant period means I feel I cannot accurately give a view as to staff morale in comparison.
27. Since my appointment in 2018 the staff I have interacted with have had positive attitudes towards detained persons, even during challenging incidents.
28. In the time I have been working in Brook House, I have not had any particular concerns about how the values of G4S staff and/or the Home Office or its culture impacted upon the general protection of those who were detained at Brook House, the management of staff, or the protection of especially vulnerable detained persons (e.g. those with mental health issues). Nor have I had any particular reservations over the management or leadership culture at Brook House.
29. In the time I have been working in Brook House I have not had concerns over treatment of detained individuals.
30. Since my appointment in 2018 I have not been aware of any racist, homophobic, or misogynistic attitudes or behaviours amongst staff at Brook House. I am not aware of any incidents of drug ingress via staff members for detained individual's use. I have not encountered or experienced any bullying at Brook House, nor have I had to deal with any staff complaints involving bullying.

## **Oversight, monitoring, and outside involvement**

31. I am asked to comment on an action plan drawn up following a 2016 inspection. I have no knowledge of this as I was not in post until 2018. I never received a complaint relating to victimisation.
32. I have been asked to set out my understanding of a variety of different bodies, their involvement at Brook House and the nature of any interaction or communications I have had with them:



- a. The Independent Monitoring Board are required at each IRC. They have statutory rights to access all parts of an IRC and records held by the Home Office and the centre supplier relevant to discharging their duties. The Board meets monthly at a meeting with the Home Office compliance manager and centre director to discuss the running of the IRC and raise any issues. I also speak to board members on an ad-hoc basis if required.
- b. The Gatwick Detainees Welfare Group (GDWG) is a charity which assists detained individuals mainly by providing someone to talk to as a social visitor. I have spoken with Ann Pincus, the GDWG Director, on occasion about working together and allowing her volunteer's access to the IRC for a tour so that they have a better understanding of the IRC environment.
- c. Medical Justice are an organisation who lobby for detained individual's rights regarding medical health. I cannot recall having any interaction with this organisation.
- d. Bail for Immigration Detainees are a charity who can provide legal advice to detained individuals. I cannot recall having any interaction with this organisation.

### **Training**

- 33. I had no specific training when I started my role at Brook House in January 2018 apart from Personal Safety Training (PST) Level 2 which is a Home Office course for staff working in operational environments. I have since had training on Action Care in Detention & Teamwork (ACDT), DC rule 40 and DC rule 42. I did not feel as though I needed specific training as I understood my role before I applied for it. I undertook refresher training for ACDT and for SPEAR (Spontaneous Protection Enabling Accelerated Response which is the equivalent of PST Level 2).
- 34. I have also undertaken the following Home Office training since joining Detention and Escorting Services, Diversity and Inclusion Modules including: - Unconscious Bias - Equality & Diversity essentials, Responsible For Information, Privacy and

Data Protection in the Home Office, Health & Safety Modules include:- Basic Fire Safety - Health & Safety awareness for ALL managers, Early Resolution Training (ERT), Counter fraud, bribery and corruption, Keeping Children safe, Modern Slavery, Modern Slavery & National Referral Mechanism, Mental Health: Reducing suicide in detention, Mental Health, Vulnerability Training, Counter Terrorism, Suicide and Self-Harm, FGM, Suicidal Thoughts, Safeguarding Adults, Face Behind The Case, Race Awareness, Performance Management Systems Training – Goal setting (managers only).

### **Relationship with G4S Staff**

35. I had a good working relationship with G4S staff at all levels I encountered.

### **Staffing levels**

36. I am not in a position to comment upon staffing levels during the relevant period, as I was not working at Brook House. The staffing profile had changed before I took up post in January 2018. Looking at a Home Office document entitled 'Combined Gatwick Headcount Report with Additional Beds and Cedars Incorporated into Tinsley House ( **HOM0332006** ) it appears that Detainee Custody Officer FTE (full time equivalents) were raised from 115 to 132 and Detainee Custody Manager FTE from 28 to 32 as a result of the additional beds that were added in 2016, but I was not around at the time so have no direct knowledge of that. Staffing was increased further when G4S were awarded a contract extension from 20 May 2018 until 21 May 2020. Detainee Custody Officer FTE was raised from 132 to 145 as noted in NOC 139 (HOM0331947).

### **Treatment of detained persons**

37. I cannot comment on the treatment of detained persons or the use of force during the relevant period, as I was not there.

38. I do not recall any incidents that have caused me concerns since my appointment in 2018. I have not witnessed any uses of force which I consider excessive since

starting work at Brook House in January 2018. I believe that use of force can be necessary as a last resort. In circumstances where use of force is deemed necessary then no more force than necessary should be used.

39. Alternatives to control and restraint would be use of interpersonal skills and tactical communications which should always be used whether before, during and after a control and restraint situation.
40. In my opinion I do not believe that the co-location of TSFNOs and other detained persons causes difficulties in managing the welfare and/or behaviour of detained persons. I believe that each person should be managed based on their behaviour and not their history. Not all TSFNOs have been problematic, as not all asylum seekers and overstayers show positive behaviour. As long as the custodian of the detained individuals acts consistently in their approach to all detained individuals, I believe that co-location shouldn't be an issue.
41. I do not have any specific concerns relating to abuse of detained persons, whether by staff or by other detained persons, since my appointment in January 2018.

### **The Panorama Programme**

42. I have never worked with Callum Tulley and I do not appear on the programme.
43. I am not able to comment on the impact of the Panorama programme on staff morale, nor on the effect it had on detainees, as I was not working in Brook House during the relevant period.
44. I am asked to comment on any changes which took place after Panorama and their effectiveness. I believe that the changes in the new contract between the Home Office and Serco are (self-evidently) positive ones including greater staffing numbers (Detainee Custody Officer Full Time Equivalent (FTE) posts were raised from 145 to 262.6 at Brook House under the new contract), a focus on detained individuals' wellbeing such as centre supplier staff conducting a Welfare Needs Assessment on all arrivals to Brook House, closer monitoring of complaints against

staff even if the complaint outcome is unsubstituted and of staff who are involved in 'use of force incidents' more than others to see why there is a trend. There is more structured training of staff and a new staff mentoring scheme. These are examples of new contractual obligations that did not exist in the contract with G4S. As I was not working at Brook House during the relevant period, I do not feel able to comment on how effective any other changes may have been, as I did not experience the centre prior to Panorama so I cannot compare and contrast the two periods.

### **Specific Individuals**

45. I was not working in Brook House during the relevant period, and so I had no interaction with any of the specific individuals listed at that time. However, before 2013 when I left G4S to join the Home Office I know I was employed at the Gatwick IRCs at the same time as the following people:

- a. Nathan Ring was a DCM at Tinsley House when I worked there as a DCM also. He was on a different shift pattern to me, and I only saw him at handover periods, and I had no concerns about his behaviour at that time.
- b. Chris Donnelly was, and still is, a DCM at Brook House both when I worked as a DCM at Brook House and since I have returned as a Home Office employee in January 2018. I have no concerns regarding his behaviour either when I worked for G4S or now as a Home Office employee.
- c. John Connolly and I were employed together when I started at Brook House as a DCM. We both attended an Intervention course at NTRG Kiddlington for 2 weeks during 2009. I had no concerns about his behaviour at that time.

46. Other than the above, I have no knowledge of, nor can I recall any contact with the specified individuals, and I have never heard of or witnessed anything negative about them outside of the BBC programme.

**Suggestions for Improvement and Any Other Concerns**

47. I do not have any suggestions for improvements or other matters which I wish to raise.

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| <b><u>Statement of Truth</u></b>   |  |
| I believe that the facts stated in this witness statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth. |  |
| I am content for this witness statement to form part of the evidence before the Brook House Inquiry and to be published on the Inquiry's website.  |  |
| Name   | Simon Murrell  |
| Signature  | <div style="border: 1px dashed black; padding: 10px; text-align: center;"><b>Signature</b></div> |
| Date   | 24/11/2021   |

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