

## **BROOK HOUSE INQUIRY**

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### **First Witness Statement of Julie Galvin**

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I provide this statement in response to a request under Rule 9 of the Inquiry Rules 2006 dated 17 November 2021.

I, Julie Galvin, date of birth DPA, a Senior Officer assigned to investigations within Home Office Security, of Harmondsworth IRC, West Drayton, UB7 0BH 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. 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 am a Senior Investigating Officer for the Professional Standards Unit (PSU) within the Home Office.
4. My role is to oversee the investigations conducted by my team of four investigators, and to ensure that they are progressed in a timely manner in accordance with the

relevant policies to the matter in hand (e.g., the relevant policies for complaints, discipline, grievances, etc).

5. I also cover the duty officer role, which involves reviewing the referrals made to the PSU to decide whether they should be investigated by a PSU investigator or not. In addition to this I am responsible for maintaining working relationships with a variety of stakeholders.
6. In 2017, during the Relevant Period, I was an Investigating Officer (HEO grade) for the PSU. My main role was to investigate serious complaints against HO staff and contractors nationally. I would carry out up to 20 investigations a year, which included HR disciplinary investigations raised by managers against civil servants and external complaints from the public, including detainees in IRCs, but also complaints from the public against Border Force Officers, Enforcement Officers, and Passport Officers. I would also carry out investigations at the request of HO senior managers when there were issues in the Department, not related to a complaint, that needed reviewing.
7. During April and August 2017, I did not investigate any allegations related to Brook House and therefore I would not have attended the IRC or contacted anyone on site. I did subsequently investigate the circumstances of D1527's complaint, which related to events during the Relevant Period.

### **Process**

8. I am asked about my understanding of the process for the PSU investigating complaints in relation to Brook House during the Relevant Period. I understand that the Home Office provided the Inquiry with a detailed written explanation of the complaints process dated 24 July 2020, which covered and linked to Detention Service Order 03/2015 – handling complaints<sup>1</sup> and its annexes. The annexes include

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<sup>1</sup> <https://www.gov.uk/government/publications/handling-complaints-in-immigration-removal-centres>

a flowchart of the process and timescales<sup>2</sup>. I set out below my own understanding of the process. My answer is to the best of my understanding, noting that I was not involved in the receipt of complaints at the Relevant Time.

9. The general understanding I had at the time was that a detainee would make a complaint at the IRC using the complaints box which was emptied daily by Home Office staff on site and passed to a Home Office complaints coordinator. In relation to IRCs, in my experience not only detainees but also their representatives and family members would submit complaints on behalf of detainees.
10. The Complaints Hub would assess the complaint and send it to the appropriate area to respond. If it fell to the PSU's remit, for example if it alleged excessive force/assault/theft, they would send the complaint to the PSU's Central Referral Team (CRT). Once assessed by the detention complaints coordinator complaints would be received quite quickly into PSU's CRT, usually within days. There were occasional delays when the complaint did not follow this process or it was sent elsewhere for the initial assessment. But these were not frequent in my experience.
11. The complaint would be assessed by the duty senior investigator within the PSU. The criteria for the investigation of complaints by the PSU were set out in the DSO 03/2015. The threshold was serious allegations related to a member of staff's conduct.
12. If they agreed that the PSU should investigate, the complaint would be allocated to an investigator who had capacity to undertake the investigation. This would include me. I would usually be working on four to six investigations concurrently, although this would differ depending on the volume of cases referred to us.
13. Once a complaint was assigned, the process in my experience was generally as follows:

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[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/589149/DSO\\_03\\_2015\\_Annex\\_C\\_complaints\\_flowchart.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/589149/DSO_03_2015_Annex_C_complaints_flowchart.pdf)

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- a. When a complaint is first received an Assistant Investigator would check for removal directions, to see if these were imminent and if so alert the senior investigator that an immediate interview is required.
- b. Immediate interviews, where required, could take place very quickly. For example, I was based at Harmondsworth IRC with a team of investigators and if a complaint came in from a detainee detained in Harmondsworth or Colnbrook IRC at that time my team could and would interview the detainee the same day, sometimes before an investigator had been allocated the complaint investigation to ensure the detainee was interviewed before he was removed. If a detainee had already left the UK I would email them (there is usually an email address in the complaint form or in the Home Office records) and ask them to contact me. I would then arrange to interview them over the phone at a convenient time for them, making sure that I called them so there was no cost to their participation. I have only interviewed a couple of detainees after they have left the UK, as the vast majority are interviewed in the UK before their departure. The same process could be followed for a witness who had left the UK.
- c. In general, the first step I would take when an investigation was allocated to me would be to make contact with the complainant and interview them to get an understanding of the complaint. This was usually face to face unless this was not possible. Pre-Covid I interviewed nearly all detainees face to face.
- d. An Assistant Investigator would provide administrative support to the investigation and send an initial acknowledgement to the detainee and also request any evidence from the contractor such as CCTV or written records and reports.
- e. Once received, I would review this evidence and make further requests for documentary evidence if I thought it was needed, and arrange to interview witnesses and those implicated by the complaint.

- f. As part of my investigation into complaints about the use of force, I would look at events leading to the use of force, not just the force used, and would look at whether the situation could have been managed better and deescalated.
  - g. I would write the investigation report referring to the interviews and written evidence and reach findings as to whether each of the complaints raised were substantiated or not on the balance of probabilities. The report would also capture any lessons learned and recommendations for change. Recommendations could be for the individuals involved or national changes in policy.
  - h. Once the report was complete, I would complete the report and write a letter for the complainant explaining what the findings were.
14. In my experience it was rare for a complainant to withdraw a complaint and I do not recall any of my complaints being withdrawn. If a complainant wished to withdraw a complaint I would refer the matter to the Senior Investigator to agree what to do.
15. In terms of timescales, Home Office Complaints guidance set out that external complaints should be completed within 12 weeks.
16. In terms of supervision, as an investigator I would discuss and update my manager regarding my investigations on a weekly basis, discussing progress and emerging findings. Complaints in detention are overseen by the Prison and Probation Ombudsman (PPO) and detainees have the right of appeal to the PPO.
17. An appeal process is set out in the letter I write to the detainee with my findings, and we include a leaflet about the role of the PPO. In addition, I believe those responsible for the lessons learned process (i.e. those who deal with the PSU's process of monitoring the responses to recommendations, and those within the relevant parts of the Home Office such as Detention and Escorting Services) track progress in relation to the recommendations.

### **Investigation into complaint by D1527**

18. On 17 November 2017 the PSU were commissioned to investigate the complaint from D1527 and I was assigned as the Investigating Officer, ultimately producing the Report [CJS001107]. The Inquiry has asked a number of questions about this investigation.
19. There was no pressure on me from anyone to reach any particular conclusions. However, there were practical matters that affected my investigation. The officers I wished to speak to were no longer employed by the contractor and therefore they were not obliged to participate in my investigation, and all bar one chose not to do so and therefore I did not have the opportunity to ask them my questions. I was also aware that the police were investigating the matter and therefore I had to be mindful that I did not jeopardise their criminal investigation.
20. I am asked whether the outcome of the allegations in the PSU report would have been different if the Panorama documentary did not evidence the activities in Brook House IRC, and I had only had witness evidence and reports to review. It is very difficult to speculate about this, but the footage provided objective evidence that I would not have otherwise seen. No complaints had been submitted about the use of force on 25 April 2017, which was shown on Panorama and therefore I would not have known about what had happened and the serious abuse of position that occurred. Had such a complaint been made, instigating my involvement, it would certainly have been possible to investigate such a complaint without the Panorama footage, and I would have done so, using the available evidence and interviewing those involved and any witnesses and reaching my conclusions on the balance of probabilities. The lack of footage does not mean I cannot investigate, though of course it may be harder to reach conclusions on the balance of probabilities, depending on the other sources of evidence available. (In fact, some of my investigation into D1527 examined issues raised that were not shown on Panorama.)
21. It is difficult to say categorically whether and to what extent I would have been able to investigate the use of force (shown on Panorama) on 25 April 2017, had the

undercover filming not taken place. The CCTV footage showed staff attended his room several times however, there was no footage in the room, CCTV does not have audio, and no one had body worn camera footage, so the events captured on Panorama would not otherwise have been filmed. In those circumstances, I would have followed normal procedures: obtained accounts from D1527 about what happened when staff entered the room, and obtained accounts from the officers. I would have looked for any witnesses. I would have been able to put D1527's account to officers and I would have sought explanations from the officers as to why they had not switched on their body worn cameras or recording reasons for being in the room.

22. It is difficult to speculate further, as I do not know what accounts would have been given by D1527 and the officers, whether the officers all denied any use of force or admitted use of force, their explanations for not following policies, such as recording the reasons for them being in the room, and judging the credibility of their evidence.
23. I do not think that the fact that the PSU was commissioned to investigate (as opposed to a complaint being referred to the PSU) changed the investigation process. Generally, the investigation process is the same. The only difference tends to arise where the person commissioning the investigation sets scope through the terms of reference.
24. One initial step was to contact Sussex Police to confirm whether my civil investigation could proceed. It is always possible a police force will ask that any civil investigation waits until the criminal case has reached a conclusion. In this case they asked for key witnesses in their case not to be interviewed – D1527 and the undercover journalist. They also requested Yan Paschali was not interviewed. I was asked not to interview D1527 as they were still finalising his statement. I did not raise any objections. It is not possible to say one way or the other whether not being able to interview these individuals affected the outcome of my investigation. However, in any event, neither the undercover journalist or Mr Paschali were

obliged to participate in my investigation and it may have been that they would not have agreed to do so.

25. However, having seen the Panorama footage I did not in any event need D1527 to provide me with his account. The footage was clear, and the very best evidence of the events it depicted. In my investigations, I am always keenly aware that a witness who is giving testimony about an incident in which they were stressed, traumatised, vulnerable and or sometimes under the influence of drugs might not be able to recall events accurately through no fault of their own. The inability to give details of such an event, or inconsistent accounts, does not detract from the seriousness of what may have occurred. In addition, I find that witnesses sometimes genuinely misremember what has happened: memory is not infallible. I do of course also keep in mind that some witnesses intend to mislead the PSU, and this does occur. I keep an open and mind when investigating and take a critical approach to evidence.
26. In my report [CJS001107] at page 35 I considered whether there were any organisational deficiencies which may have contributed to D1527's treatment, and at pages 37-39 I considered whether any change in Home Office or G4S policy or practice would help to prevent a recurrence of the incident investigated. The Inquiry has asked me whether I can add any further comments, views and opinions. I am aware that this will be one of the core questions for the Inquiry. It is difficult to add to the conclusions and recommendations in my Report.
27. I can say I believe (I cannot prove) that the events were unplanned, in that officers had not agreed in advance to disregard all the security processes that should have been followed. I note that no one alerted other staff, called each other out, or reported the abuse. Therefore, in my view it was deliberately covered up from scrutiny.
28. I did not think that the incident demonstrated a training issue. Firstly, the officers were aware of the use of force techniques and the need to record every use of force. Secondly, and more importantly, no-one could credibly claim to be unaware that it



is unacceptable to treat any person the way that D1527 was shown by Panorama to have been treated.

29. I do believe that the robust enforcement of the use of body worn cameras by officers and managers and the mandatory requirement for these to be switched on will provide some assurance that this sort of appalling treatment does not happen again, but only if, when an officer fails to turn the camera on, this is followed up with a clear understanding there will be sanctions without a genuinely valid explanation.
30. I attempted to cover every angle I could and review all the evidence available to try and ensure the investigation was as thorough as possible. I am not based within the IRC and only investigate complaints once they have been processed and allocated to me – I therefore review the complaint in a snapshot of time, albeit I build up an understanding of trends and wider issues within a removal centre from both my investigations of other cases and from wider discussions and learning within the PSU.

### **General Issues**

31. I am asked about whether as an Investigating Officer in the PSU (am now a Senior Investigating Officer), I perceived barriers to complaints being made or progressed.
32. In terms of complaints being made, I do not know why detainees (for example D1527) did not complain about their treatment. This is a matter that the Inquiry will no doubt wish to consider. The PSU does not have day to day dealings with Brook House. I only act on a complaint from a detainee and was (and am) not involved in the oversight of Brook House. I cannot therefore comment from experience more generally on the suitability of the complaints processes for detainees or staff, or organisational matters. I believe contractor staff could (and can) report concerns through their own whistleblowing process, but this would be handled internally under the contractor's confidential processes and I have no experience of this in Brook House.

33. I recognise that giving evidence to the PSU may be stressful, but in general my experience was and is that detainees were and are keen to speak to me and make their complaint. I take steps to overcome any barriers to detainees doing so by ensuring we check in advance if they need an interpreter, and calling them on their mobile if needed to agree a time to speak.
34. As an investigator I was trained to achieve best evidence and this included putting all parties at ease, ensuring the interview was in private and the complainant or member of staff were entitled to have a companion with them if they wished.
35. I was trained to interview in the PEACE model, which is best practice. It stands for Preparation and Planning, Engage and Explain, Account, Clarify and Challenge, Closure, Evaluation. This model is a non-accusatory, information gathering approach to investigative interviewing which is based on building a rapport and trust with the person you are interviewing, allowing them to provide an account without interruption. I would never challenge a detainee (or any member of the public) in their account as this is not necessary. My role is to listen and see if their complaint was substantiated.
36. At the interview, as an Investigating Officer, I began in the manner we were trained, to build a rapport with a detainee, explain my role and as quickly as possible and ask them to tell me about their complaint. I would adapt my words if the detainee spoke English but it was not their first language. We would summarise the complaint back to the detainee to confirm we understood it, and ask for further detail when needed. If a detainee could not remember what happened during (for example) a use of force, I would not press them and would accept they are not an expert and that having been in a stressful situation it is difficult to ask a detainee to say what part of his body was held by which officer, when all they can recall is that this hurt.
37. We recorded our interviews so time was not wasted writing extensive notes and we could fully engage with the detainee. I would provide the detainee with a copy of my summary if they wanted it and they also had access to the recording.

38. After the interview I would again explain the next steps, that there would be a delay before I wrote to them again as the investigation would take up to 12 weeks. And I would ensure I took an email address to contact them on in case they had left the UK.
39. Some detainees become upset while recalling stressful incidents and it is important to support them through this and make sure they feel they had been listened to and at the end of the interview talk to them about something else to try and de-escalate any stress they had built up during the recollection. Investigating Officers do not wear uniforms so do not look like other staff in the IRC and the detainee has contact details if they need to contact us. I do not recall any detainee withdrawing a complaint once made.
40. In my experience, not all detainees who are witnesses want to give evidence to a PSU investigator but I cannot say whether this is due to any particular barrier or whether they just prefer not to be involved. I would not pressure a detainee into participating and would request they attend and leave their decision to participate up to them.
41. Staff who are no longer employed by the Home Office or a contractor are not obliged to participate in a PSU investigation. In my experience staff sometimes give accounts that are different to those shown on video or CCTV, as do detainees. In my experience this is not necessarily a deliberate attempt to deceive but often that they have been involved in a stressful, unplanned and fast moving event when it is not possible to be aware of everything that is happening at the time. Therefore, when they later write a record of the events or are asked by me to recall events they create a logical memory, without realising that is what they are doing.
42. For instance, staff might say that a colleague was fulfilling a different role, or was present when they were not. People are usually more reliable in recalling what they did, rather than what others did. I would expect there to be some differences in the accounts provided by people involved in or witnessing the same events as everyone's perspective will be different. If all officers had identical reports and gave

identical accounts (for example) it would raise my suspicions there was something being covered up.

43. I also recognise that people generally find it difficult to speak up against colleagues and I have no reason to doubt staff in Brook House, who rely on each other, would feel the same.
44. I have however encountered staff who I have believed to be giving me an untrue account of events deliberately, and I am always alive to this possibility.
45. As an Investigating Officer, when writing a letter of response to a detainee I would adapt the language to accommodate their level of English, avoiding jargon as far as possible so the detainee would understand what steps I had taken, that I had thoroughly considered the complaint and why I reached the conclusions I did. I always aimed to give assurance that the matter was taken seriously. If I substantiated the complaint, I would include a contact in Detention Services for the detainee to correspond with should they want redress.
46. I never perceived any pressure from Detention Services or G4S to reach a particular outcome.
47. I am asked whether the Panorama broadcast affected the work of the PSU. Whilst not consciously, I suspect this has changed my approach somewhat in that I have now seen what can happen and did happen, and that it was not officially recorded or reported. I am mindful of what has happened.
48. There were a number of complaints submitted by solicitors after Panorama was aired, on behalf of detainees previously detained at Brook House IRC who had not complained at the time. A number of these were accepted for investigation outside the usual timeframe. I cannot say whether there was an increase in the complaints being substantiated as I was only involved in my own cases at that time, but if a specific timescale was provided I could enquire whether this information is held. I believe there was a review of investigations related to Brook House carried out by

the PSU Senior Officers. I do not know whether any were re-opened, but I can enquire.

**Current Position**

49. I am not aware of any significant changes that have taken place to the PSU's processes, other than those necessitated by Covid. As a PSU investigator I may investigate one case in Brook House a year and there was no specific guidance which related to them (I would not expect there to be). They had a complaint coordinator who I found to be helpful in providing evidence and getting access to the officers and therefore in my experience investigations tended to run smoothly.

<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	Julie Galvin
Signature	<div style="border: 1px dashed black; padding: 10px; text-align: center;"><b>Signature</b></div>
Date	07 January 2022