

Incident Report Form

05/10/17

1255hrs

Eden Wing, Brook House IRC.

I, Acting DCM Darren Tomsett have been employed at Brook House IRC, Perimeter Road South, Gatwick Airport, West Sussex, RH6 0PQ since January 2015.

I started work on Arun wing(which was formerly the Induction wing)as a Detainee Custody Officer, in March 2015, dealing with newly arriving and currently housed detainees on the wing. I worked on Arun wing until the Induction Unit was moved to Beck wing in April 2016.I was one of the first officers to start work on the new induction wing and I helped to get the unit ready for business by organising and checking the rooms were fully equipped and the wing office and admin side of things were ready to go. We had a good team and a positive feeling amongst us. I also helped to train other officers and give guidance and support where I could.

I continued working on the Induction wing until I applied for and was offered an Acting up role as a Detainee Custody Manager in August 2017, which I was really excited about. I received two weeks shadowing experience in the job and I mainly arranged my own training by approaching the different departments in the centre and asking for some training and advice.

Since before and after the Panorama programme at the start of September 2017 and due to a lack of staff for a number of reasons, I have found myself coming into work and actually managing at times, all the wings(five in total)in the centre, plus CSU(Care Separation Unit),during a thirteen hour shift.

Its a pressurised, stressful, volatile, busy and anxious environment most of the time on the wings, but especially on Eden wing, where detainees are often housed due to mental issues, drug/alcohol issues, volatile/anger issues , HMP prisoners who are due transfers back to prison and also due to some detainees being too dangerous to have on association in the centre with others. Other detainees housed on Eden wing are detainees awaiting escorted removal directions, or transfers to other detention centres, due to operational or other reasons. Others have been placed on the wing awaiting single occupant rooms on other wings or detainees have been placed down there because there is no space on the Induction wing or residential wings. Some detainees have been in CSU and then placed on Eden wing to monitor, then they have to be placed onto a residential wing. During my time here at Brook House, I have issued an unknown quantity of warnings, but I'm guessing more than twenty-thirty

warnings for various reasons and I have asked for some detainees to be removed from association due to their behaviour on the wing or in the centre against me or my colleagues. I am verbally abused almost every day and usually threatened in one way or another almost every day. Detainees have threatened to throw hot boiling water with sugar and oil in it at me, threatened me with shanks and plastic knives, threatened to find my address, threatened me with violence or detainees try to intimidate, manipulate or condition me on a regular basis. Detainees will try and start an argument with me if they are told there is something they are not allowed or if they don't agree with the decisions made. An example being they are not allowed extra mattresses, bedding or towels and these get removed during LBB (Locks, bolts, bars checks in the rooms) checks. This occurs because I would carry out the task of removing extra items but other staff do not do this to the same standard, so this causes issues.

I was on duty at Brook House IRC on 05/10/17, detailed to work on Arun and Eden wing, as the Residential Manager for the wings. It is my responsibility to ensure the smooth running of the wings and that detainees are cared for and given help and support where required. I also help and support the Dco wing officers where required and have always told them that if they need me, they should call me on extension 520 or get a message sent to me via control on extension 501/502 and I will attend as soon as I can.

At approximately 1230-1250hrs I was covering lunch break on Arun wing, to provide support and back up to the staff on the wing. Due to a lack of staff or the inability of staff/control to provide cover at lunch and dinner breaks as per their instruction on detail, I got a call to go to Eden wing to cover a lunch break. I went to Eden wing and covered a lunch break for Dco Angie O'Connor. Everything was going smoothly, people had or were still collecting their lunch. I remember observing [D1020] eating his lunch on the wing by the servery. I had chatted to a Polish detainee on the wing living in room E001, and noticed a smell from the room. I got up and went into the room to check out the smell from the room, it was almost a burning smell. He was sat at the table watching tv and eating his lunch, when he got up and informed me he had been smoking tea leaves in his room, because he couldn't afford any tobacco, we had a bit of a laugh over this. I sat back on the table. I had checked with the servery worker that everyone on the wing had collected their lunch. I was sat on the table where the fax machine is, right next to the wing office. I saw one or two detainees come back to the servery to get a second helping of food and noticed detainee [D1020] pacing around looking upset and agitated. He appeared to be angry at the fact that a different detainee had been given a pie or a pasty from the servery worker. [D1020] became very loud and vocal and continued to pace around. He then made his way to the grey plastic food trolley and general waste wheelie bin and threw both of them across the wing, in anger and frustration. I remained sat on the table when this happened, then I got up and approached [D1020] to try and de-escalate the situation and find out why he did what he did, but as I tried to speak to him, he was aggressive, angry and upset and began waving/moving his arms around in front of me, he managed to touch the side of my face/neck/collar and tie with his hand, I attempted to stop this by moving my arm across to block any further attempts to touch me as he was in my personal space. I then noticed he had a white plastic eating utensil in his hand, I can't remember if it was a knife, fork or a spoon but [D1020] was waving and pointing it in my face and I took that as a direct threat, initially to my own personal safety and then the safety of the other detainees on the wing, at the time. I was thinking at this time and then decided that the right thing to do was to place [D1020] on Rule 40 for damaging centre property and aggressive behaviour. All this time [D1020] is still agitated, angry and upset. [D1020] understands English enough as when I advised him I was placing him under Rule 40, he said to me 'CSU'. I asked him to walk to CSU with me and to my surprise, [D1020] began to walk in the direction of CSU but instead he headed to his room

E012. [D1020] entered his room, I followed behind and my intention right there, was to close and lock the door to his room, to de-escalate the situation and bring back the safety and security of the wing.

During the time at the servery, I believe I went out of the door of Eden wing and was going to go in the servery to check everything was being cleaned up and serving utensils stowed away, but then I saw Dco Evans making her way back towards the wing. I think we spoke briefly then I returned to the wing.

My intention was to close and lock the door, so as I went to do this I saw [D1020] come at me and wasn't sure if he still had anything in his hands, he attempted and succeeded in grabbing my shirt. My tie, my id badge came off and fell to the floor. Still unsure if he had something in his hands and shocked this was happening, I defended myself numerous times by pushing [D1020] away from me but he would come back me. When I was pushing him away, I was using an outward facing palm with my fingers spread open, pushing when I had to, at his top half of his chest, his shoulders and collarbone areas. A few times I was trying to gain control and we would have grappled on occasions, only because I was trying to hold back his arms. He was swinging them around. I was trying to give myself time and space enough to get the door and close it. During this time Dco Teyran Evans was present and I believe she was assisting me in trying to restrain [D1020] however, my focus and concentration was on [D1020] and with him not causing injury to myself or others, so my intention was not to use force to restrain him and hold him down or continue the situation, as we did not have a three man team to complete it correctly, but to hold him off to make space and leave the room as quickly as possible. [D1020] is not a big man, he is small to medium build about 5'7-5'10'tall, but has a slim and athletic look. He is also a younger man than myself by almost twenty years. I with my right hand was trying to usher Dco Evans behind me to get out of the room and trying to press my first response button whilst holding off [D1020] with my left hand and trying to make a grab for the door.

During the time in the room, I don't know how long this went on for, but I would guess and say approximately 1-2 minutes. Each time he made a grab for me I would have to prise his hands off me. They were clenched at times, he was spitting with anger, food debris would fly from his mouth when he was shouting and vocal at me. He grabbed my radio, he was pulling my shoulder camera and strap and had the camera clenched in his right hand, I had to prise his hand off to release the grip he had. I'd push him away, he would grab me again on my shirt, then his right hand grabbed my left forearm where he squeezed/pinched my arm with his hand and then he dug his nails in, causing reddening and nail marks. I also suffered a small scratch or two to the right side of my face, just under my right ear, I believe caused earlier by [D1020] as there was no scratch there previous to the incident.



I managed to move forward and push [D1020] into the toilet area, hoping he would release a grip on me, he didn't. He at one point moved his head up, I thought to get into a position for a head butt to my face, so I remember I put my hand on his forehead and probably on some part of his head or face to prevent this from happening. It did stop this action and he never attempted it again. Everything was happening so quickly, my main goal still, was to get my colleague out of the room and then to exit and lock the door. I managed to eventually press my first response button in all this and at some point assistance arrived from the first response unit, it seemed to take a while but I don't know how long.

I can remember hearing shouting and swearing going on from behind me, I think that was from other detainees who it seemed were egging him on and were trying to see what was happening, I don't think they were too near the door as they seem to be shouting and it sounded a bit distant as if they were still standing by the other side of the wing or near the middle but it was enough for me to think they may come and attack me and I wouldn't know who it was or how many, but actually no-one came over. This happened I believe prior to first response arriving. I didn't wish for this situation, I was trying to show fairness, but having to be firm at the same time and trying to tell [D1020] this behaviour is not acceptable. I was just trying to defend myself and Dco Evans and I had to do enough to deter [D1020] from succeeding. I used reasonable and necessary force at all times. My hands were never clenched and I used body language to try and deter [D1020] by going into a defensive stance with my hands and arms up, but he still came back towards me in an angry and aggressive manner. Again all this time, [D1020] is angry and aggressive towards us, spitting his words and saliva coming from his mouth. His eyes were staring, pupils really small and aggression shown on his face. Still trying to talk to [D1020] all this time, trying to tell him to 'sit down' 'back off' 'back up' 'stay on your bed' 'don't come near me' 'stop coming towards me, stay where you are'.

First response arrived and I remember hearing Dcm Aldis telling someone, I believe Dco Evans, to get out of the room. I then remember managing to gain enough time to get the door, I went to check that the door didn't have the bolt shot open as I remember thinking 'I can't lock the door if the bolt was shot for any reason'.

I managed to get the door, then I saw [D1020] pick something up from his table and take steps forward and throw it directly at me. I noticed it was a plastic bottle and a thick white liquid came out of it and hit me on the right side of my face and head and down my shirt and trousers. Just at that time [D1020] was coming towards us again, I was in two minds to push him back again to get the space back to close the door or attempt to close the door and hope that I had enough time to do so. The bolt wasn't shot and eventually I managed to close the door and hold the door shut with my left hand. I couldn't reach my keys in my pouch on the left side of my waist with my right hand and I didn't want to let

go of the door. Someone though put their key in the door and locked it for me. I think I then checked [D1020] through the observation panel on the door, but I'm not sure. This was the end of the incident as far as I know.

I remember at some point later after the incident, I went back to [D1020]'s room to serve him a copy of Annex B(why he was on rule40).I put it under his door. I checked on [D1020] through the observations window on the door and [D1020] appeared to be asleep, on his left side, covered with his duvet and his head was visible. At no time after, had I been made aware, or did I notice at anytime that [D1020] was injured in anyway or that he reported he was injured.At no time did I hear [D1020] inform me he was hurt or injured in any way.

I was half way through completing my original incident report form that afternoon, when at around 5pm-6pm, I got called to go to Juls Williams office where he informed me that I was being suspended from work until an investigation had been conducted because a detainee had made a complaint against me.

I complied with Juls instruction, I left my Home Office id badge and camera with him and handed him my damaged name badge, without the magnet part because it got torn off in the incident by [D1020]

I returned to the Dcm's office between Arun and Beck wing on the 1<sup>st</sup> floor, to collecting my belongings and then I was escorted to the Gatehouse by Juls.

I put my radio and keys back into the cabinets and put my battery in the box opposite. I then signed out on Kronos, went to the car park, got into my car without speaking to anyone and left the site.

I have had no further contact with [D1020] or the Detention centre and this is the end of my report.

06/10/17

My wrists and fingers ache,mainly on my right hand and wrist.