

# ANNEX D643/1 – Use of Force/Removal from Association

Item	Footnote	Document Name	Summary	Date	Relativity Code
<b>Use of Force incident 7 November 2016</b>					
1		D643 Witness Statement	Use of force by G4S officers against D643 on 7 November 2016	14.02.2022	DL0000228 §88-99
2		D643 Oral Evidence	D643 sets out in the incident in more detail	22.02.2022	Transcript Day 16 P27:11 – P31:8
3		Letter of Complaint	Contemporaneous letter of complaint by D643 to G4S regarding the incident	08.11.2016	
4		Medical Records	Entry details D643 hitting head against wall, states D643 'not compliant'	07.11.2016	DL0000216_0001 entry dated 7 November 2016
5		Form F213 Report of Injury to Detainee	States D643 'refused to co-operate' and was unable to be assessed due to 'lack of compliance'	07.11.2016	
<b>Use of Force incident and Removal from Association 27 March 2018</b>					
6		D634 Witness Statement	Centre-wide lock in on 26 March 2018. G4S officers used force against D643 to remove him from association under R40 without lawful justification	14.02.2022	DL0000228 § 225-228
7		D634 Oral Evidence	D643 comments on the incident in more detail	22.02.2022	Transcript Day 16 P80:23 – p86:18
8		Letter of complaint	Contemporaneous letter of complaint by D643 to G4S regarding incident	Undated	
9		Letter of complaint by Duncan Lewis Solicitors	Formal letter submitted by D643's legal representatives regarding the incident	26.04.2018	
10		Entry in G4S Record of complaints	Details the investigation by G4S into the incident and their conclusions	09.04.2018	CJS0000651
11		Letter of response from G4S	States that use of force was necessary, reasonable and proportionate	23.04.2018	
<b>Witness Evidence</b>					
12		Oral Evidence of Mr Ian Cheeseman	Mr Cheeseman states that he had no knowledge of the limits that need to be imposed on use of segregation for vulnerable people	16.03.2022	Transcript 16 March 2022  P209:11-25 and p210:1-12
13		Oral Evidence of Dr Hard	Dr Hard comments that removal from association used as a convenient option for staff and not used as last resort. He also comments on the harm of segregation on mental health.	28.03.2022	Transcript 28 March 2022  P66:13-15, P164:11-16, P65:1-

					9, P65:12-23, P67:2-18
14		Report of Mr Jon Collier	<p>Mr Collier expresses concern about incorrect application of handcuffs and how to apply restraints in the supine position</p> <p>Mr Collier expresses concern that there is a cultural process of automatically resorting to staff in full PPE in situations where a detainee has indicated compliance.</p> <p>Mr Collier comments on the over reliance for removal to the CSU which is 'completely disproportionate' to the offence by the detainee.</p>	17.01.2022	<p>INQ000111_0146 §637</p> <p>INQ000111_0156 §658</p> <p>INQ000111_0156 §659</p>
15		First Witness Statement of Dr Bingham	Dr Bingham comments on the protective duty of healthcare to raise clinical concerns about use of force against vulnerable detainees.	03.02.2022	BHM000033_0048 §128 - 132

# ANNEX D643/2 – Racism and toxic culture

Item	Footnote	Document Name	Summary	Date	Relativity Code
<b><i>Racist abuse by G4S officers/general toxic culture</i></b>					
1		D643 Witness Statement	Graham Purnell calls D643 a 'fucking nigger'  General racist abuse/mistreatment by officers	14.02.2022	DL0000228 §74-78  DL0000228 §142-147
2		D643 Oral Evidence	D643 comments on the specific incident with Graham Purnell outlined above.  D643 comments on general racial abuse and discrimination on basis of criminal records at BH  D643 comments on intimidation tactics	22.02.2022	Transcript Day 16 P22:25 – p24:11  P39:25 – p44:2  P44:25 – 46:19
<b><i>Use of 'leash by G4S officers</i></b>					
3		D643 Witness Statement	D643 tied to a leash by G4S officers on a visit to a hospital	14.02.2022	DL0000228 §116-117
4		D643 Oral Evidence	D643 comments on being put on a chain 'like a dog'	22.02.2022	Transcript Day 16 P35:10 – p35:19
<b><i>Alleged escape risk</i></b>					
5		D643 Witness Statement	D643 falsely accused of attempting to escape.	14.02.2022	DL0000228 §118-123
6		D643 Oral Evidence	D643 comments in more detail on the above incident.	22.02.2022	Transcript Day 16 P35:19 – p39:18
<b><i>Fire in cell</i></b>					
7		D643 Witness Statement	D643's roommate set fire to paper and the cell was filled with smoke. D643 had to breathe through the gap under the door.	14.02.2022	DL0000228 §161
8		D643 Oral Evidence	D643 comments on the incident in more detail, in particular the delayed response by G4S officers due to a culture of disbelief	22.02.2022	Transcript Day 16 p10:25 – p12:12
<b><i>Witness evidence</i></b>					

9		Oral Evidence of Ms Sandra Calver	Ms Calver comments on D643's alleged escape attempt.	01.03.2022	Transcript 1 March 2022 P123:22 – p125:5
10		Oral Evidence of Professor May Bosworth	Professor Bosworth comments on:  '...extremely aggressive language and mannerisms' towards detained population.  Professor Bosworth comments on institutionalised racism	29.03.2022	Transcript 29 March 2022  P6:23 – P7:3  P35:8-p36:19  P97:10-13, 19 – P98:3.
11		Written Report of Professor May Bosworth	Professor Brosworth comments on G4S officer's reliance on racialized logics in their interactions with detained men. In particular, she comments on the labelling of young black men as potential security threats (para 8.7)	17.11.2021	INQ000064_0039 §8.1- 8.7
12		First Witness Statement of Mr Nathan Ward	Mr Ward comments on institutional racism at Brook House	10.11.2021	DL0000141_0050 §147-158
13		First Witness Statement of Stacie Dean	Ms Dean states that she investigated complaints regarding racist conduct and raised concerns but did not see any improvement.	15.03.2022	INQ000164 §119
14		Oral Evidence of Yan Paschali	Mr Paschali comments on the culture at Brook House	24.02.2022	Transcript of 24 February 2022 P27:18-25

# ANNEX D643/3 – Healthcare failures

Item	Footnote	Document Name	Summary	Date	Relativity Code
<b><i>Failure to conduct adequate initial medical screening</i></b>					
1		D643 Witness Statement	Initial healthcare screening failed to meaningfully assess medical needs  Failure of initial healthcare assessments in identifying suicide risk/self-harm	14.02.2022	DL0000228 §115  DL0000228 §71-72, §115
2		D643 Oral Evidence	Failure of initial screening to identify suicide risk/self-harm  Inadequacy of initial assessment on returning to BH for fourth period of detention	22.02.2022	Transcript Day 16 P21:23 – p22:24  P33:13 – p34:2
3		Medical Records	Entry dated 16 October 2016 shows inadequate initial medical assessment  Entry dated 21 December 2016 shows inadequate initial medical assessment	16.10.2016  21.12.2016	
<b><i>Failure to conduct Rule 35(1) and (2) assessments</i></b>					
4		D643 Witness Statement	Request for a Rule 35 assessment on 7 July 2016 refused. D643 complaint not adequately resolved.  Request for a Rule 35 assessment on 26 April 2017 refused by Dr Oozeerally  Request for Rule 35 assessment in January 2018 refused by Dr Chaudhary	14.02.2022	DL0000228 §45-58  DL0000228 §162-163  DL0000228 §198-199
5		D643 Oral Evidence	D643 comments on Dr Puvanendran's refusal to conduct R35 assessment on 7 July 2016 because he was not victim of torture  D643 comments on Dr Oozeerally's refusal to conduct R35 assessment on 26 April 2017	22.02.2022	Transcript Day 16 P17:13 – p18:17  P57:11 – 62:19

6		Medical Records	Entry dated 7 July 2016 - Dr Puvanendran's refusal to conduct R35 assessment  Entry dated 26 April 2017 – Dr Oozerally's refusal to conduct R35 assessment		
7		D643 letter of complaint	D643 sets out his complaints in relation to mistreatment by Dr Oozerally and Dr Chaudhary	Undated	DL0000221_002
<b>Failure to administer medication</b>					
8		D634 Witness Statement	Healthcare failures to promptly administer medication on arrival.	14.02.2022	DL0000228 §69-73  DL0000228 §75-79
9		Medical Records	Entry dated 18 October 2016 – D643 complaints re. lack of medication  Entry dated 22 October 2016 confirming D643 still not provided with medication		
<b>Failure to conduct adequate assessment of fitness to be fly/fitness to be detained</b>					
10		D643 Witness Statement	Dr Chaudhary declared D643 as 'fit to be detained and fit to fly' without assessment  Dr Oozerally declared D643 'fit to be detained and fit to fly' on 12 March 2018 without assessment	14.02.2022	DL0000228 §170-172  DL0000228 §205-206 and 208
11		D643 Oral Evidence	D643 comments on Dr Oozerally's failure to assess him prior to declaring him fit to fly.	22.02.2022	Transcript Day 16 P75:2 – p76:4  P78:5 – 80:21
12		Fax from Dr Chaudhary to Home Office	Dr Chaudhary declares D643 fit to be detained and fit to fly	15.06.2017	
13		Fax from Dr Oozerally to Home Office	Dr Oozerally declared D643 fit to fly	12.03.2018	HOM032406
14		Fax from Dr Chaudhary to Home Office	Dr Chaudhary declared D643 not fit for detention	22.03.2018	HOM032403
15		Home Office fax to Brook House healthcare	Home office requested additional details regarding D643 fitness for detention	26.03.2018	HOM032273

16		Letter by Dr Oozeerally to Home Office	Dr Oozeerally response to Home Office declaring D643 fit to fly and makes a number of erroneous observations including that D643 has 'disengaged from healthcare'	26.03.2018	HOM032403_0001
<b>Culture of disbelief</b>					
17		D643 Witness Statement	Failure of healthcare to administer adequate support for his PTSD  Indication from healthcare and staff that D643 faking illness to avoid flight		DL0000228 §36-44  DL0000228 §75-78
18		D643 Oral Evidence	D643 comments on the note by Karen Churcher in his medical records stating D643 unwilling to take ownership for mental wellbeing  D643 comments on contrast between healthcare at BH and the Verne.  D643 comments on Dr Oozeerally's focus on removal directions at appointments  D643 comments on the impact of healthcare on his life post-release	22.02.2022	Transcript Day 16 P16:18 – p17:7  P48:18 – 49:23  P58:20 – 59:21  P87:15 – 89:6
19		Medical Records	Entry by Karen Churcher 6 July 2016  Entry dated 18 October 2016 re. faking pain to avoid flight	06.07.2016  18.10.2016	
<b>Witness evidence</b>					
20		Oral evidence of Dr Oozeerally	Dr Oozeerally comments on why he failed to conduct a Rule 35(1) assessment on 26 April 2017  Dr Oozeerally comments on healthcare's use of Part C in place of Rule 35 report in January 2018  Dr Oozeerally comments on his assessment of D643 as fit to be detained and fit to fly in March 2018  Dr Oozeerally comments on D643's complaints that he was aggressive	11.03.2022	Transcript 11 March 2022 P92:3 – P96:3  P96:13 – p97:4  P98:6 – p99:25  P100:22 – p101:19



			and focused on his immigration case rather than medical needs		
21		Oral evidence of Dr Chaudhary	Dr Chaudhary comments on his assessment of D643 as fit to be detained in June 2017 without having seen him.  Dr Chaudhary comments on practice of using Part C rather than Rule 35	11.03.2022	Transcript 11 March 2022 P225:1 – P230:9  P235:15 – p236:14
22		Oral evidence of Ms Karen Churcher	Ms Churcher accepts that Emotional Group Support was not appropriate treatment for D643's PTSD	10.03.2022	Transcript 10 March 2022 P60:2 – p63:3
23		Oral evidence of Ms Sandra Calver	Ms Calver acknowledges that Rule 35 was not being applied correctly  Ms Calver comments on the absences of PTSD trauma focused treatment at Brook House  Ms Calver comments on the use of Part C in place of Rule 35 assessments	01.03.2022	Transcript 1 March 2022  P218:13 – p222:21  P185:13 – 187:19 P176:13 – p177:3  P195:14 – p196:4
24		Oral evidence of Dr Hard	Dr Hard comments on failure to conduct adequate medical screening.  Dr Hard comments on systemic failure of R34 and R35  Dr Hard comments on the failings of healthcare to discharge duty of care to D643	28.03.2022	Transcript 28 March 2022 P14:7 – 18.  P141:11 – p142:25  P142:1 – 144:20
25		Witness Statement of Ms Theresa Schleicher	Ms Schleicher comments on the systemic failures of Rule 34 and Rule 35	03.02.2022	BHM000031_0015 00022 - §49-71



### Annex D643/4 – Home Office detention decisions

Item	Footnote	Document Name	Summary	Date	Relativity Code
<b>Initial decision to detain</b>					
1		D643 Witness Statement	Failure Home Office to take into account diagnosis of PTSD when making decision to detain	14.02.2022	DL0000228 §60-68
2		Home Office GCID entry	Detention Gatekeeper denies any evidence of 'medical issues'	18.09.2016	
<b>Decision to maintain detention on receipt of medical evidence</b>					
3		D643 Witness Statement	<p>Failure by Home Office to release D643 following R35(1) that he was unfit for detention</p> <p>Failure by Home Office to release D643 following second R35(1) assessment that he was unfit for detention</p> <p>Detention Reviews failed to contain accurate medical information</p> <p>Failure by Home Office to consider three Medico-Legal Reports indicating D643 not fit for detention</p> <p>Failure by Home Office to release D643 after healthcare assessed him as unfit for detention on 22 March 2018</p> <p>Release from Detention and damages of £45,000 in settlement of unlawful detention case.</p>	14.02.2022	<p>DL0000228 §100-112</p> <p>DL0000228 §130-139</p> <p>DL0000228 §148-165</p> <p>DL0000228 §177</p> <p>DL0000228 §209-215</p> <p>DL0000228 §245-249</p>
4		D643 Oral Evidence	D643 comments on Home Office decision to maintain his detention following Rule 35(1) assessment in January 2018	22.02.2022	Transcript Day 16 P50:20 – 54:14
5		Part C submitted by Dr Oozeerally	Dr Oozeerally informs Home Office that D643 feels his health is deteriorating in detention	15.01.2018	DL0000235_0001

6		Fax from Dr Oozeerally to Home Office	Dr Oozeerally declares D643 fit for detention and fit to fly	12.03.2018	HOM032406_0001
7		Fax from Dr Chaudhary to Home Office	Dr Chaudhary declares D643 not fit for detention	23.03.2018	HOM032403_0001
<b>Failure to release following grants of bail</b>					
8		D643 Witness Statement	Home Office failure to release D643 despite three grants of bail.  Home Office failure to consider D643 medically unfit for detention as Adult at Risk Level 3	14.02.2022	DL0000228 §194-197  DL0000228 §217 - 222
9		Grant of Bail in Principle	FtT Judge comments on the strength of medical evidence and duty of Home Office to treat D643 with 'due care and respect'	13.12.2017	
10		Grant of Conditional Bail	FtT Judge commented on 'exceptional circumstances'	09.02.2018	
11		Grant of Conditional Bail	Subject to the provision of accommodation by the Home Office	23.03.2018	
12		Letter Before Claim	D643's legal representatives letter to Home Office challenging his unlawful detention	06.03.2018	
<b>Witness Evidence</b>					
13		First Witness Statement of Mr Stephen Webb	Mr Webb states that indefinite detention ultimately leads to the suffering of detainee mental health	21.02.2021	MIL000003_0022 §107
14		Oral Evidence of Dr Hard	Dr Hard comments on the lack of coordination between detention reviewing staff and healthcare	28.03.2022	Transcript 28 March 2022 P141:2 – 24
15		Interview of Mr Callum Tulley	Mr Tulley comments on the destructive impact of indefinite detention on detainees		INQ000108 p42 –
16		Witness Statement of Ms Michelle Brown	Ms Brown comments on the uncertainty of length of detention and the impact of prolonged detention on detainees.	21.03.2022	INQ000164 §107
17		Report of Professor Mary Bosworth	Professor Bosworth comments on the lack of time limit in immigration detention and how this impacts mental health	29.03.2022	Transcript 29 March 2022 P15:1 – 17 P39: 7 – 16 P154: 6 – 155:5
18		First Witness Statement of Nathan Ward	Mr Ward comments that immigration should be limited for all detainees and to 72 hours for those with vulnerability	10.11.2022	DL0000141_0123 §350

19		Witness Statement of Ms Theresa Schleicher	Ms Schleicher comments on the HASC finding that a detention time limit is long overdue.	03.02.2022	BHM000031_0062 §182(I)
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