



Brook House
Date: 13th April 2017

Mr. **D1394**

Room 211/B
Clyde Wing
Brook House

Dear Mr. **D1394**

Complaint Reference Number: CMS 131000142414

Thank you for both of your complaint dated 25th March, 2017 concerning an allegation that a staff member has been "despising Asian detainees, talks like we are his slave, lacking sense of humour, being highly provocative and keeps chatting to woman officers every time and a range of other similar issues".

I am writing to advise that I have now completed my investigation and would like to offer the following response.

This investigation was conducted by myself and involved me firstly reading your complaint to see what had happened that led to the complaint. I then came to see the residents whose names and signatures were there as having witnessed or been a victim of any of the alleged behaviour highlighted in the complaint. After speaking to a few detainees they all said the complaint was written by **D1394**, which you have confirmed to me. I did not look at CCTV footage because the allegation detailed in the complaint did not reference any specific incident. After speaking to all the detainees I was able to find in the centre, I then had a look at your DAT observations records to ascertain if anything was recorded about the incident or any other incidents of similar nature and I then arranged an interview with DCO M. Shaukat.

Your complaint contained one main issue which been investigated.

You felt unhappy because an officer, "lacks manners and rude to everyone. He is Asian himself but for some reason he despises his fellow Asians. To all us Asian detainees he talks like we are his slaves, he gives dirty looks and keep starring at us like we are hostile and up to something. This is going on and on, he is always egotistic and full of anger. He never smiles and lacks sense of humour. He is highly provocative and keeps chatting to woman officers every time. He is not just lazy but unprofessional. His behavior makes us frustrated. He is just an

idiot; he shouldn't be behaving like this. It is our request that he shouldn't be working on our Wings; i.e. Dove and Clyde Wing. Officer Mohammed Sharyai is a useless guy, he is not worth it"

During interview, DCO M. Shaukat stated, 'he (Mr [D1394]) was harassing Elham on the Wing so I had a normal chat with him and that was it.' He explained he said, 'I just told him there is no need for him to harass her, she is a lady. I was just supporting my colleague.'

When asked if DCO Shaukat had sworn at him as he stated in his statement, [D1394] said, 'no he did not swear at me, we just had a normal chat and that was it.' Ask if there was anything else that happened between the two of you, he explained, 'we did not speak after that.' He went on to say, 'he should respect all the detainees.'

Approximately 30 residents names, room numbers and some including signatures were on the list provided. After sourcing initial details of the complaint, I began speaking to the individuals whose names were on the list. It was then established that the complaint was actually written by [D1394] [D1394]; C/211. This was based on what other detainees had said, whose name was not on the list. From the 31 individuals, there were ten who had either left the centre or the names could not be found on the system, one resident said he had "no comments because he needed to speak to [D1394] he can confirm what to say", one said he "did not know what he signed", one said he "did not put his name to this", four residents stated they "did not write their names and that the signatures was not theirs", a further three stated they believed the complaint was about the "quality of the food and issues with the courtyard unlocking on time."

Of the other detainees identified, the following comments were made –

One resident said that he signed it but only the thing he could say was he heard the officer saying to [D1394] "don't come to the Office if you don't have anything you need, he didn't do anything to me or any other guys."

Another resident said the only interaction he had with the Officer is when he said "if you want to come on the wing you need to show your ID card."

Then another resident said he thought something happened last week and the officer didn't respond to him helpfully, he said the officer said, 'put in the application because he can't do anything else.'

One further resident said he was told by [D1394] that he and the "officer had an argument about a female officer, he may have called her babe, I don't know. He then said when challenged that he only signed his name because [D1394] is his friend."

Finally one other resident said that he "had not witnessed anything, but he wanted to help [D1394] who was his friend so he signed it, when challenged he said he don't see it as such a big deal because nothing was going to happen to the officer so he thought why not. Went on to say nothing had happened with him and the officer in question and he had not witnessed anything with any other detainees."

In your statement, you; [D1394] claimed "He (DCO Shaukat) pull me outside of D-Wing and he was like, Elham is my miss, and he was like you called her babe and "I said no I didn't", I said "if you still believe then you are mistaken" and he said as he is sure. He said you have a mother and sister at home too, so you shouldn't be doing this, I told him to shut up and go F**K himself. He didn't say anything after that, he then opened the Wing door and I went in to my wing and he went back in C Wing, Nothing else has happen between us, I have not spoken to him, he just gives dirty looks toward me".

Having carefully reviewed the statement made in the complaint and all the statements from all the detainees and Officers, it appears that the allegations you made did not appear to have taken place. The accounts of events detailed in the written complaint appeared to have come from a single person's perspective and the fact that detainee's whose names were on the list stated that they had only written their name because they are your friend, takes away any remaining credibility about the version of events and in my opinion the basis of the complaint stems from the one agreed conversation that had taken place which you have said nothing else had happened between you and the officer and that the other allegation contained where those witness by fellow detainees and or been a victim.

None of the detainees spoken to confirmed that they witnessed anything happening between you and the office or any other detainees. A number of the detainees appeared to have been told that the complaint was about food and issues surrounding the courtyard. Others said they had not signed the complaint and the signature next to their names was not theirs. In your statement you stated that you ([D1394]) actually swore at the officer and confirmed nothing else happened between the two of you and that the account detailed where those of the other residents who are saying that is not the case we can safely say with the statements; "Officer Mohammed Sharyai is a useless guy, he is not worth it" shows this is not a groups' view but instead a singular perspective. Because the accusations listed are stated to be for the residents in the group and the group contradicting that view and without actual evidence, dates and or times of specific incidents where things can be looked into and not be based on a view formed from little interaction I am unable to uphold this complaint

To ensure the complaints process remains in a positive light where it gives individuals the chance to make their feelings known via a fair, open and balanced process, I will recommend that group complaints should require

complainants to have additional written statements from the people signing the form prior to investigations commencing.

Any expression of dissatisfaction from a resident is taken seriously, irrelevant of the outcome, and we will endeavour to learn to continuously improve our service and care.

I hope you feel satisfied with the way in which your complaint has been handled, however, should you wish to discuss any aspect of it, please feel free to contact me.

If you remain dissatisfied you may also appeal to the Prisons and Probation Ombudsman who is independent of Immigration Enforcement and G4S. You must do this within three months of receiving this letter. I have enclosed a leaflet which explains the process "How to complain to the Ombudsman". This leaflet can also be found at http://www.ppo.gov.uk/wp-content/uploads/2014/06/PPO_Complaint_leaflet_Dec_2013.pdf

The PPO cannot deal with any complaints relating to your immigration status, including any decision to remove you from the United Kingdom, nor does the PPO deal with complaints about healthcare. You can only appeal to the PPO if you are the person with the complaint. Complaints from third parties cannot be accepted.

To help us continually improve our Complaints Handling Process, we have also enclosed a Complaints Handling Feedback Form with this letter which we ask that you complete and return to the Home Office (by posting, emailing or placing it in the Home Office Complaints Box).

I would like to take this opportunity to thank you for bringing your concerns to our attention.

Yours sincerely

Signature

Conway Edwards
Race Relations and Diversity Manager
G4S Gatwick IRCs
Brook House
Perimeter Road South
Gatwick
RH6 0PO

DPA