

NOTICE OF DETERMINATION
CORE PARTICIPANT APPLICATION – MR OWEN SYRED

1. The Brook House Inquiry was announced by the Secretary of State for the Home Department on 5 November 2019. In my opening statement on 21 April 2020, I formally invited those who wished to be considered for Core Participant status to submit a written application. An initial deadline for applications was set for 19 May 2020 but I committed to consider any application I received as the Inquiry progressed.
2. I received a written application from Mr Owen Syred for Core Participant status dated 3 September 2021. I have given careful consideration to the application and I have decided to grant the application, for the reasons set out in detail below.

Application

3. The designation of individuals or organisations as Core Participants ('CPs') in an Inquiries Act inquiry is governed by Rule 5 of the Inquiry Rules 2006. The relevant paragraphs provide:

"Core participants

5.—(1) The chairman may designate a person as a core participant at any time during the course of the inquiry, provided that person consents to being so designated.

(2) In deciding whether to designate a person as a core participant, the chairman must in particular consider whether—

(a) the person played, or may have played, a direct and significant role in relation to the matters to which the inquiry relates;

(b) the person has a significant interest in an important aspect of the matters to which the inquiry relates; or

(c) the person may be subject to explicit or significant criticism during the inquiry proceedings or in the report, or in any interim report.”

4. In the application submitted on behalf of Mr Syred, it is stated that:

“...[he] worked as a DCO and Welfare Officer at Brook House over a ten-year period....in this period, he witnessed mistreatment of detainees and inappropriate behaviour by colleagues, including violence, bullying and racism.’

And that he was:

“...a trained ACDT assessor and a qualified ACDT trainer”.

5. The application seeks the granting of Core Participant status under Rule 5(2)(a) and (b) of the Inquiry Rules 2006.

Decision

6. I have considered the application in line with my approach as set out below. I have concluded that Mr Syred meets the requirements of Rule 5(2)(a) and (b) for the following reasons:

The test under rule 5(2)(a): a direct and significant role

7. Mr Syred was employed by G4S at Brook House during the relevant period. As indicated in his application, Mr Syred has direct experience in a number of areas that I referred to specifically in my opening statement of 21 April 2020. These include potential direct experience in relation to the following:

- A. Staff and management culture;
- B. Staffing levels;
- C. Staff and management training, induction and support;
- D. Prevalence of racist attitudes /behaviours and measures for addressing such attitudes/behaviours;
- E. The use of control and restraint techniques, including pain compliance;
- F. The availability of other methods for encouraging good order and discipline and dealing with non-compliance;
- G. The control of drug availability and use;
- H. Response to bullying or intimidation of detainees
- I. The co-location of Time Served Foreign National Offenders (TSFNOs) and asylum seekers;
- J. Whistleblowing procedures and protections for staff;
- K. Home Office monitoring and oversight of Brook House, including the role of PSU.

8. I therefore find that the application meets the criteria in Rule 5(2)(a) of the Inquiry Rules.

The test under Rule 5(2)(b): a significant interest in an important aspect

9. I consider that Mr Syred's significant interest in the matters to which the Inquiry relates is clear. Following an assessment of the extent and nature of the mistreatment at Brook

House, the Inquiry will turn to the question of the degree to which policies, practices and systems caused or contributed to it. It is then my intention to focus on the question of the adequacy of the safeguards designed to detect mistreatment. Given Mr Syred's role and position within G4S, the duration of his employment and the specific functions that he performed as part of that employment, I consider that for the purposes of Rule 5(2)(b) of the Inquiry Rules, he has a significant interest in several important aspects of the Inquiry's focus, specifically in relation to the below elements of its terms of reference:

- 1. The treatment of complainants, including identifying whether there has been mistreatment and identifying responsibility for any mistreatment;*
- 2. Whether methods, policies, practices and management arrangements (both of the Home Office and its contractors) caused or contributed to any identified mistreatment;*
- 3. Whether any changes to these methods, policies, practices and management arrangements would help to prevent a recurrence of any identified mistreatment;*

Conclusion

10. I have considered the statutory tests and determined that Mr Syred's application provides sufficient evidence of his direct and significant role and significant interest in the specific events at Brook House in the relevant period. I therefore grant Mr Syred status as a Core Participant to the Brook House Inquiry.

Legal Representative

11. Applicants for designation as the recognised legal representative of a Core Participant are governed by Rules 6 and 7 of the Inquiry Rules 2006, which provide as follows:

6(1) Where - (a) a core participant, other than a core participant referred to in rule 7; or (b) any other person required or permitted to give evidence or produce documents during the course of the inquiry, has appointed a qualified lawyer to act on that person's behalf, the chairman must designate that lawyer as that person's recognised legal representative in respect of the inquiry proceedings.

7(1) This rule applies where there are two or more core participants, each of whom seeks to be legally represented, and the chairman considers that - (a) their interests in the outcome of the inquiry are similar; (b) the facts they are likely to rely on in the course of the inquiry are similar; and (c) it is fair and proper for them to be jointly represented.

(2) The chairman must direct that those core participants shall be represented by a single recognised legal representative, and the chairman may designate a qualified lawyer for that purpose.

(3) Subject to paragraph (4), any designation must be agreed by the core participants in question.

(4) If no agreement on a designation is forthcoming within a reasonable period, the chairman may designate an appropriate lawyer who, in his opinion, has sufficient knowledge and experience to act in this capacity.

12. Accordingly, as I am satisfied that Mr Syred has appointed Innovo Law Solicitors as his qualified lawyer, I designate Mr Brian Stanton as Mr Syred's recognised legal representative in accordance with Rule 6(1) of the Inquiry Rules 2006.

Kate Eves

Chair to the Brook House Inquiry

09 September 2021