

<p>1 Wednesday, 24 November 2021</p> <p>2 (10.00 am)</p> <p>3 THE CHAIR: Good morning. Mr Altman, I believe we are</p> <p>4 coming straight back to you, thank you.</p> <p>5 Opening statement by MR ALTMAN (continued)</p> <p>6 MR ALTMAN: Thank you, chair. Everyone will remember that</p> <p>7 yesterday evening I was about to play some footage</p> <p>8 relating to 25 April, and so what I'm going to ask the</p> <p>9 evidence handler to do, please, is to bring up the first</p> <p>10 clip, which is KENCOV1007 V2017042500020, beginning at</p> <p>11 8:47, please.</p> <p>12 Chair, this runs until 26:36. 8:47, please.</p> <p>13 (Video played)</p> <p>14 MR ALTMAN: This is the wrong clip. This is KENCOV1025. It</p> <p>15 is KENCOV1007 that we want, the one that we had last</p> <p>16 evening.</p> <p>17 (Video played)</p> <p>18 MR ALTMAN: Thank you. We can take that one down for now.</p> <p>19 Can we then go, please, to the next clip, which is</p> <p>20 the same KENCOV number at 1007, but it is</p> <p>21 V2017042500021, and this lasts roughly about 28 minutes.</p> <p>22 (Video played)</p> <p>23 MR ALTMAN: Chair, perhaps -- I have one more clip, which is</p> <p>24 only of about a minute's duration. Obviously, it is all</p> <p>25 distressing, certainly for people who may not have seen</p> <p style="text-align: center;">Page 1</p>	<p>1 Brook House, he had not seen anything like it.</p> <p>2 In February 2018, Jonathan Collier, in his capacity</p> <p>3 as a use of force expert, well before he was instructed</p> <p>4 by the inquiry, advised Sussex Police that "There is</p> <p>5 a technique taught to staff, known as the Mandibular</p> <p>6 Angle Technique, MAT. It is used as a pain-inducing</p> <p>7 technique for use in circumstances where other</p> <p>8 techniques are proving ineffective, or if the risk of</p> <p>9 harm is so great immediate action is required. Prior to</p> <p>10 any pain-inducing technique being applied, staff should,</p> <p>11 where possible, engage in verbal reasoning, inform the</p> <p>12 detainee of what is expected of them, warn the detainee</p> <p>13 and attempt to manage the situation without applying</p> <p>14 pain. If pain is applied, it should not be for any</p> <p>15 longer than five seconds, although some circumstances</p> <p>16 may dictate longer."</p> <p>17 The application of this technique requires pressure</p> <p>18 to be exerted by the thumb through the point at the base</p> <p>19 of the ear lobe. However, the technique used by</p> <p>20 Paschali didn't reflect the MAT and could in no way be</p> <p>21 interpreted as attempting to apply the MAT, said</p> <p>22 Mr Collier. The pressure used by him was more to the</p> <p>23 centre of the neck and appeared to be either side of</p> <p>24 the windpipe.</p> <p>25 Mr Collier thought his actions appeared deliberate</p> <p style="text-align: center;">Page 3</p>
<p>1 this before, so it may be an idea to have a break after</p> <p>2 this next clip.</p> <p>3 THE CHAIR: Thank you. Agreed.</p> <p>4 MR ALTMAN: I wonder if we can put up, please, KENCOV1007,</p> <p>5 and it is clip V2017042500023. It starts right at the</p> <p>6 beginning, and it lasts about a minute, as I say.</p> <p>7 (Video played)</p> <p>8 MR ALTMAN: Chair, it is slightly earlier than we would</p> <p>9 ordinarily take -- in fact, it is substantially earlier.</p> <p>10 But if we want to have a 15-minute break, now is as good</p> <p>11 a time as any to have it.</p> <p>12 THE CHAIR: I suggest we return at 11.15 am. Thank you.</p> <p>13 (10.58 am)</p> <p>14 (A short break)</p> <p>15 (11.29 am)</p> <p>16 MR ALTMAN: Chair, in his video diary for that evening -- so</p> <p>17 we are still on 25 April -- Callum Tulley said he</p> <p>18 thought Yan Paschali was going to kill D1527. Back in</p> <p>19 the office, Paschali had said what he was trying to do</p> <p>20 to D1527. He talked about things he had done in his</p> <p>21 previous job in a prison. He claimed that he used to</p> <p>22 smash prisoners' faces onto sinks and cut them with</p> <p>23 razorblades so they could say they'd self-harmed.</p> <p>24 Tulley said he had never seen force used on that scale</p> <p>25 before, and although he had seen some things at</p> <p style="text-align: center;">Page 2</p>	<p>1 and were not a simple misapplication of an approved</p> <p>2 technique. The "verbal dialogue", as he puts it, by</p> <p>3 which he is referring to the threat to "put him to</p> <p>4 sleep", did not reflect, as Mr Collier says, the</p> <p>5 communication strategy expected of staff. Rather than</p> <p>6 trying to calm the situation and encouraging D1527 to</p> <p>7 comply, he was offering a more confrontational attitude</p> <p>8 and offered little or no genuine effort to de-escalate</p> <p>9 the situation and to reassure the detained man that</p> <p>10 staff were acting in his best interests. When assessing</p> <p>11 the use of force evidenced on the footage against the</p> <p>12 general principles listed earlier in the report, it was,</p> <p>13 said Mr Collier in 2018, difficult to establish why</p> <p>14 a potentially dangerous use of pressure around the neck</p> <p>15 area was used.</p> <p>16 As everyone knows, Mr Collier will be giving</p> <p>17 evidence on a broad range of use of force incidents in</p> <p>18 phase 2 of these hearings, and I shall return to him</p> <p>19 a little later in that regard.</p> <p>20 Back to 2017. On 17 May 2017, in the late</p> <p>21 afternoon, Tulley was asked to kit up in riot gear as</p> <p>22 part of a team because a detained man, ciphered as D275,</p> <p>23 was protesting on the suicide netting. Tulley and</p> <p>24 others were standing in a stairwell out of view on</p> <p>25 standby in case the National Response Team, the NRT,</p> <p style="text-align: center;">Page 4</p>

<p>1 didn't arrive in time.</p> <p>2 They understood that D275 had razorblades. A DCO by</p> <p>3 the name of John Connolly was the senior member of staff</p> <p>4 and a restraint trainer, and he was instructing them how</p> <p>5 the restraint was to be carried out. As Callum Tulley</p> <p>6 recalls it, Connolly told them:</p> <p>7 "If he refuses, we chuck him in there."</p> <p>8 By which Tulley understood him to mean a corner of</p> <p>9 the stairwell in which there was no CCTV camera. He</p> <p>10 added, "We will fucking mash him up round the corner".</p> <p>11 Another DCO by the name of Dan Small then appeared to</p> <p>12 draw attention to the fact that there was a camera, to</p> <p>13 which Connolly appears to have replied, "I'll scrub the</p> <p>14 cunt", according to Tulley's recollection. He</p> <p>15 understood, Tulley understood, that to mean that he</p> <p>16 would delete the footage, with Connolly adding, again,</p> <p>17 according to Tulley's recollection, "You can't fuck</p> <p>18 about".</p> <p>19 A racist epithet was also used during the course of</p> <p>20 this incident. While waiting in the stairwell, Connolly</p> <p>21 suggested how Tulley should refer to D275, and this</p> <p>22 comes from the footage itself, as transcribed, saying</p> <p>23 that Tulley should say, "Listen here, nigger, listen to</p> <p>24 me".</p> <p>25 After a pause, Connolly instructed them that they</p> <p style="text-align: center;">Page 5</p>	<p>1 MR ALTMAN: Can you just stop this for a moment?</p> <p>2 (Video played)</p> <p>3 MR ALTMAN: Finally, as far as this part of events was</p> <p>4 concerned on 17 May, V2017051700019, two very short</p> <p>5 clips, the first beginning at 14:20.</p> <p>6 (Video played)</p> <p>7 MR ALTMAN: So what that shows, of course, is the team</p> <p>8 forming up on the stairwell, all of the chat. We</p> <p>9 haven't included all of the chat in what we have just</p> <p>10 played. I'm sure we will see some of that later. And</p> <p>11 then going out to the relevant part of the centre, and</p> <p>12 then the last two clips were really just representative</p> <p>13 of the man having been taken out off the netting and</p> <p>14 then taken out in the courtyard, which we may all</p> <p>15 remember was one of the discussions, or part of</p> <p>16 the discussion, that took place during one of the clips.</p> <p>17 So, moving on from there, Callum Tulley also</p> <p>18 witnessed the mocking of detained men during medical</p> <p>19 emergencies. He recalls a time on 14 June when DCM</p> <p>20 Nathan Ring mocked another detained man, ciphered as</p> <p>21 D1275, who appeared to have taken spice. While the</p> <p>22 nurses in attendance were treating him with sympathy,</p> <p>23 Ring was openly laughing at him and abused him while</p> <p>24 another DCO present, Derek Murphy, who I think is the</p> <p>25 gentleman we saw with the beard in the clips that we</p> <p style="text-align: center;">Page 7</p>
<p>1 were to use the stairs, as he put it, as "our</p> <p>2 justification" for throwing D275 into the corner and</p> <p>3 dealing with him there. Another member of the team also</p> <p>4 raised the presence of cameras with Connolly, but he</p> <p>5 told him that it didn't matter. He said he could rely</p> <p>6 on the additional risk inherent in carrying out</p> <p>7 a restraint on the stairs to justify his plan to throw</p> <p>8 him in the corner. As Callum Tulley says in his inquiry</p> <p>9 account, "To hear this from any member of staff would</p> <p>10 have been alarming, but to hear it from a restraint</p> <p>11 trainer was even more so. This shows how concerning</p> <p>12 attitudes towards the use of force and treatment of</p> <p>13 detainees were prevalent amongst leadership figures, as</p> <p>14 well as the reluctance of other members of staff to</p> <p>15 challenge a proposal to use force improperly". Now we</p> <p>16 can play some of that footage. We are not going to play</p> <p>17 it all. But the relevant footage is KENCOV1019, and</p> <p>18 there are four clips in total, because I'm going to ask</p> <p>19 for two separate clips, which are themselves divided</p> <p>20 into two clips, to be played. I think, in terms of</p> <p>21 the total, we are looking at something like 27/28</p> <p>22 minutes. So the first one, to begin with, is</p> <p>23 V2017051700018, and we begin with clip 1, which begins</p> <p>24 at 00:15.</p> <p>25 (Video played)</p> <p style="text-align: center;">Page 6</p>	<p>1 were just viewing, told a nurse that he had no sympathy</p> <p>2 for the detained man. It was, as Tulley says, low</p> <p>3 level, but it reflected the lack of care by some staff</p> <p>4 for detained men who were vulnerable.</p> <p>5 Tulley talks also about there being a high level of</p> <p>6 anti-immigrant rhetoric among staff, recalling</p> <p>7 a conversation, also on 14 June, when DCO Dan Small,</p> <p>8 following the Grenfell Tower fire, which happened to</p> <p>9 have broken out that day, said, "Oh, well, at least</p> <p>10 that's a few less foreigners in England", according to</p> <p>11 Tulley's recollection. The camera wasn't on Dan Small</p> <p>12 when he said this, but Callum Tulley was shocked by his</p> <p>13 comment because he'd never heard Small use abusive or</p> <p>14 racist language or seen him mistreat detained persons.</p> <p>15 But he did record it in his video diary for the day.</p> <p>16 However, Small was captured on camera that same day</p> <p>17 saying he would never move to London because it was, as</p> <p>18 he put it, "overpopulated, overexpensive and minority</p> <p>19 white people".</p> <p>20 At the end of the shift, when they were returning</p> <p>21 their radios at the gatehouse that day, Tulley spoke</p> <p>22 about the death toll at Grenfell, and Small again</p> <p>23 referred to the fact that they were all foreigners. He</p> <p>24 asked him whether he felt that the country would be</p> <p>25 better off without foreigners, and he said he did. He</p> <p style="text-align: center;">Page 8</p>

<p>1 said that his job -- this is Dan Small. He said his job 2 at Brook House had made him racist, and this was indeed 3 recorded on camera.</p> <p>4 Tulley wasn't just concerned about staff attitudes 5 to medical emergencies. Although he had limited access 6 or insight into healthcare at Brook House, he says 7 detained persons would often express frustration with 8 the outcome of appointments. During his time at 9 Brook House, he felt that some staff paid little regard 10 to issues of self-harm, suicide or mental illness.</p> <p>11 On 6 July 2017, Callum Tulley had been on E wing 12 monitoring another detained person, D728, who was on 13 constant supervision in solitary confinement. He was 14 blocking the viewing panel with toilet tissue, making 15 observation of him difficult. Tulley called for 16 a manager to assist him. The BBC footage shows 17 Steve Webb and Charlie Francis, two staffers, arriving. 18 As Francis opens the door to the room, Webb says 19 something along the lines of, "Is that shit?" Francis 20 then speaks to D728 in a raised voice, saying, "Right, 21 if I have to come back again, you won't be going 22 anywhere today, and you're staying down here 23 permanently. Do you understand?". D728 asks for his 24 medication, and there is an exchange about a refusal to 25 give him his medication, with Francis protesting,</p> <p style="text-align: center;">Page 9</p>	<p>1 the accommodation at Brook House, from his perspective, 2 was "very poor". He says the cells, or the rooms, were 3 designed to hold two men. However, as we know, some 4 were converted to hold three men during the time he was 5 filming undercover.</p> <p>6 The living conditions in rooms were such that the 7 toilets offered no privacy. The rooms housing three men 8 added to the bad conditions. Understaffing limited 9 access to recreational facilities. Drug use was rife. 10 Spice was most commonly used by detained men. Detained 11 persons would be unpredictable when under the influence 12 of it. Some would collapse, some would have fits or 13 seizures, whilst others would vomit uncontrollably. 14 Occasionally, detained men would become violent or 15 difficult to manage.</p> <p>16 He resigned, Callum Tulley, from his position at 17 Brook House on 7 July, I think having handed in his 18 notice the day before. Up to that point, G4S was not 19 aware that Callum Tulley had been working for the BBC.</p> <p>20 Against some of that background, let me come to 21 accounts from some of the formerly detained persons at 22 Brook House.</p> <p>23 At the very heart, chair, of this inquiry are those 24 men who were formerly detained in the centre during the 25 relevant period. Chair, you, in fact, have put them,</p> <p style="text-align: center;">Page 11</p>
<p>1 "I didn't refuse you. I did not refuse you". The 2 exchange continues, with D728 saying, "You're keeping me 3 here unlawfully". Webb responds, "It's not unlawful". 4 D728 then adds, "I don't want to be here", to which Webb 5 replies, "It's not unlawful. No-one wants to fucking be 6 here. I don't want to fucking be here".</p> <p>7 Later that day, Tulley was in the visits hall with 8 another DCO by the name of Aaron Stokes, who at one 9 point had also been supervising D728. Tulley asked him 10 how his supervision of him had gone. He said that D728 11 was threatening to self-harm, to which he replied, 12 "I don't care, just do it", and, "Hang yourself. I'll 13 cut you down", and that he had then told D728 to, "Crack 14 on", adding, "Honestly, I don't give a shit if you hang 15 yourself".</p> <p>16 Callum Tulley says that, of course, many members of 17 staff showed vulnerable or suicidal detained persons the 18 respect and empathy one would expect. His experience, 19 however, was that this sort of treatment was 20 sufficiently widespread and consistent to raise 21 a concern about the general culture at the centre. 22 Professor Bosworth will give evidence about the culture 23 at Brook House in phase 2. I will also say a little 24 more about her in a while.</p> <p>25 Callum Tulley says that the quality of</p> <p style="text-align: center;">Page 10</p>	<p>1 and intend to put them, front and centre of this 2 inquiry. For now, I intend only sketching out the 3 accounts of some of them. I begin with D668.</p> <p>4 D668 will give live evidence to the inquiry. He 5 doesn't appear in any video footage from Brook House but 6 gives a cogent account of his time there. He is an 7 asylum seeker from the Ivory Coast.</p> <p>8 During his induction at Brook House, in the early 9 hours of 18 May, at a little after 4.00 am, he saw 10 someone by the name of Christopher Paynter, a nurse, for 11 his first reception health screening. He told the nurse 12 that he had been assaulted by police in his home country 13 on two separate occasions. He also told the nurse that 14 he had previously self-harmed.</p> <p>15 He remained at Brook House for one day and was then 16 transferred to another immigration removal centre, known 17 as the Verne. He was inducted at the Verne on 21 May 18 and remained there until 28 June 2017, when he was 19 transferred back to Brook House, because he had been 20 issued with removal directions. In other words, 21 a document specifying the details of his removal.</p> <p>22 He remained on B wing, which is the induction wing, 23 for a couple of days and was then moved to D wing. D668 24 gives an account of the facilities at Brook House, 25 including the issues he had accessing the internet and</p> <p style="text-align: center;">Page 12</p>

<p>1 the problems this caused when trying to progress his 2 asylum claim.</p> <p>3 On 24 July, nearly a month after arriving at 4 Brook House, he underwent a rule 35 assessment carried 5 out by Dr Chaudhary. He told the doctor about four 6 occasions when he was beaten and abused by state agents. 7 The doctor recorded his account and detailed multiple 8 scars on his back, his hand, foot and leg, adding to the 9 report that they "may be due to his account" of torture.</p> <p>10 In July and August 2017, he saw a mental health 11 nurse and Dr Chaudhary, as well as an occupational 12 therapist, on a number of occasions, with symptoms of 13 depression, nightmares, flashbacks and anxiety, and hen 14 was prescribed antidepressants.</p> <p>15 He will tell the inquiry of the effect the issue of 16 removal directions had on him and on the level of 17 support he received in Brook House. He will also 18 describe the conditions of his detention generally, 19 including the level of drug use at Brook House and his 20 treatment by staff. He made various complaints about 21 his treatment and experiences in detention at 22 Brook House. Let me just list them.</p> <p>23 In an incident at the end of June 2017, G4S officers 24 initially refused to accept his and his solicitor's 25 instructions that a judicial review had been filed and</p> <p style="text-align: center;">Page 13</p>	<p>1 a successful bail application. The Home Office has now 2 accepted that he should never have been detained, 3 because he was legally permitted to be in the UK as the 4 spouse of an EU resident. He will give evidence, live 5 evidence, to the inquiry during phase 1.</p> <p>6 He was detained while reporting and taken to 7 Brook House. He was initially housed on B wing, the 8 induction wing, and then spent the rest of his stay on 9 A wing, with a number of different roommates. On 10 23 May, he was informed that his name was on a list to 11 be removed on a charter flight that day, and that 12 a decision had been made a week before without his 13 knowledge. He wasn't, in fact, removed, although he was 14 served with further removal directions. He challenged 15 his removal by way of judicial review.</p> <p>16 On 5 June, D1851 was in his room with his then 17 roommate, D390, who was due to be moved to another 18 detention centre. Records the inquiry has seen show 19 that five Brook House staff were involved in the 20 removal, including Callum Tulley. D1851 is to give his 21 account of this event and of the effect it had on him 22 during phase 1 of these hearings. D1851 has also 23 provided accounts of numerous other events he witnessed 24 while in Brook House, including the circulation and 25 widespread use of drugs, overdoses, health crises and</p> <p style="text-align: center;">Page 15</p>
<p>1 he should therefore not be removed. He complains of 2 poor treatment by G4S staff at Brook House and while 3 waiting at Gatwick.</p> <p>4 In the following month, in early July, he was 5 initially not allowed into the healthcare waiting room, 6 despite being on time, and he was then made to discuss 7 his symptoms in front of other detained persons.</p> <p>8 In August, on D wing, a bucket of water was thrown 9 over him by another detained person, and, despite his 10 complaints, the incident wasn't appropriately 11 investigated or dealt with.</p> <p>12 On 17 or 18 August, he was shoved on the stairs by 13 another detained man, and, despite making a complaint, 14 the incident was not appropriately investigated or dealt 15 with.</p> <p>16 Around 18 August, his roommate's T-shirt was stolen. 17 A fight started and was dealt with aggressively and 18 inappropriately by officers.</p> <p>19 Finally, somewhere between 12 and 20 August, he 20 describes another detained person being in segregation 21 for a week as a result of demanding answers from the 22 Home Office.</p> <p>23 D1851. D1851 is a Nigerian national who was 24 detained at Brook House between 29 April and 25 24 July 2017, when he was released following</p> <p style="text-align: center;">Page 14</p>	<p>1 protests by other detained men.</p> <p>2 D1851 did not make any written complaints while he 3 was at Brook House, although he will say that he was 4 seriously dissatisfied, and indeed distressed, at his 5 treatment by detention staff, healthcare staff, 6 Home Office officials, and by the facility and 7 experience overall, which he said had a profound and 8 traumatic effect on him.</p> <p>9 D390. D390 is a core participant. As I have just 10 mentioned, for a time he shared a room with D1851 and 11 was the subject of a planned use of force on 5 June. 12 The reasons given for it were his non-compliance in 13 moving him to another centre: he refused to go with the 14 Tascor escorts. A DCO took control of his left room and 15 a lock was put on both arms. He was escorted out of his 16 room using a guiding hold. There was some dispute 17 regarding whether he had a bail hearing coming up, 18 whether he had lodged a judicial review and what impact 19 this might have on him moving to another immigration 20 removal centre at Harmondsworth. A member of staff 21 spoke to the Upper Tribunal and an onsite Home Office 22 official tried to resolve the matter, and D390 still 23 refused to go.</p> <p>24 D1618 is not a CP, but he will be giving live 25 evidence in phase 1. He originates from Afghanistan and</p> <p style="text-align: center;">Page 16</p>

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<p>1 was detained at Brook House from 16 April to 2 16 November 2017, when he was released on bail. While 3 there, he was diagnosed with PTSD as a result of 4 traumatic events in Afghanistan, as well as his 5 experiences in detention, during and indeed after which 6 his mental health deteriorated.</p> <p>7 He found Brook House dirty and unsafe and frequently 8 felt in danger. He spent much of his time on D wing but 9 also recalled a brief time on E wing, but can't remember 10 why he was there. He shared his room with two other men 11 for three months and one other man for two months. The 12 lack of privacy, the smells and the lack of cleanliness 13 were issues for him. He found lock-ins at night 14 difficult to cope with and suffered mentally as 15 a result.</p> <p>16 In his view, the "guards", as he calls them, treated 17 the detained men badly. He felt ignored and not 18 listened to. They didn't take their concerns about 19 safety and cleanliness seriously. There was a lack of 20 respect and they were rude to them. Staff mocked 21 detained men who were due to be removed and desperate 22 not to be returned. D1618 regarded this as cruel.</p> <p>23 On 29 July 2017, D1618 was to be returned to 24 Afghanistan. He thinks he was on E wing before his 25 removal, and he feels like he was treated like an</p> <p style="text-align: center;">Page 17</p>	<p>1 and unable to give live evidence. The inquiry intends, 2 however, to adduce his account in phase 2.</p> <p>3 Dr Basu, a consultant psychiatrist who assessed him 4 while he was at Brook House, and has also recently 5 provided a report about his condition, has consistently 6 been of the view that D1527 suffers from a major 7 depressive disorder and PTSD. He has recounted D1527's 8 history of torture in Egypt. He witnessed his friend 9 being stabbed to death and was himself tortured for two 10 days before being released. His journey to Europe by 11 boat was dangerous and he feared that he would drown. 12 During the journey, he witnessed traffickers misusing 13 drugs and alcohol, abusing passengers, raping women and 14 anyone who resisted was killed. He arrived in the UK by 15 lorry, he says, in early 2014. He experienced 16 difficulties engaging with mental health services. He 17 experienced suicidal thoughts and flashbacks. He was 18 hospitalised for five days at the Mayday Hospital in 19 Croydon in 2015 due to overdosing on prescribed 20 medication in a suicide attempt.</p> <p>21 D1527 was transferred to Brook House from prison 22 following a conviction in April 2017. He suffered from 23 depression and reported being unable to obtain his 24 medication during his first six days there. He tried to 25 harm himself on a number of occasions, and recalls that</p> <p style="text-align: center;">Page 19</p>
<p>1 animal. He was forcefully put in handcuffs, as well as 2 a waist restraint, and put on a plane. He protested 3 about what was happening to him and was injured in the 4 process. He was removed from the plane and returned to 5 Brook House. He was taken to hospital as a result of 6 his injuries. At night, when he was locked in his room, 7 the pain from the injuries he had suffered during the 8 attempted removal from the country was, he says, only 9 controlled by paracetamol, which he says was 10 insufficient. He says the pain had lasted for months, 11 which, had he received proper healthcare, would have 12 passed more quickly. He never received any update from 13 the hospital to which he was taken.</p> <p>14 He made a complaint about the incident. The matter 15 was investigated by the PSU, but the findings made 16 in October 2017 were that there was insufficient 17 evidence to prove the officers had behaved 18 unprofessionally.</p> <p>19 D1527. Now, D1527 is, of course, the detained man 20 that we saw in the longer clip which was first played 21 this morning. He is a core participant, or a CP, as 22 I refer to it from time to time, and a formerly detained 23 person at Brook House. He provided an account to 24 Sussex Police on 11 December 2017. He has also provided 25 a witness statement to the inquiry, but is vulnerable</p> <p style="text-align: center;">Page 18</p>	<p>1 staff members made comments about him "playing" and 2 "just doing it for attention". He became suicidal. At 3 some time prior to 25 April, D1527 was moved to E wing 4 by force. He says, in doing so, staff were rude and 5 abusive to him. He attempted to commit suicide many 6 times and has reported that his treatment at Brook House 7 worsened his mental health.</p> <p>8 As is obvious, 25 April is the day which I have 9 already covered. But let me summarise it from D1527's 10 perspective. On this day, he says that he was feeling 11 very low and he attempted to harm himself on two 12 occasions. In one of them, he tied a T-shirt around his 13 neck, having attempted to conceal himself near the 14 toilet in his room, and that's something that we viewed 15 earlier on. He was forcibly moved to the middle of 16 the room and the T-shirt was cut from him by a member of 17 staff. He recalls then putting a mobile phone battery 18 in his mouth and force was used to remove it. Later the 19 same day, D1527 was again the subject of a restraint by 20 a number of members of staff, including Yan Paschali, 21 Clayton Fraser and Charlie Francis. Nurse Jo Buss was 22 also present during the restraint. Again, we have seen 23 the footage.</p> <p>24 He remembers being strangled and says it was 25 difficult to breathe. He felt like he was going to die.</p> <p style="text-align: center;">Page 20</p>

5 (Pages 17 to 20)

<p>1 He has flashbacks and finds the incident hard to 2 remember. He recalls that after this event he felt even 3 more hopeless and alone. 4 The BBC footage records a discussion between 5 Brook House staff member Calvin Sanders and 6 Callum Tulley on 4 May, in which Sanders boasts to 7 Tulley about having banged D1527's head on a table and 8 bent his fingers back while he had been on constant 9 observation duty. Sanders had been on duty on constant 10 observation of D1527 on 24 April. In another 11 conversation between Callum Tulley and another member of 12 staff at Brook House, this time Aaron Stokes, someone to 13 whom I referred earlier, Tulley asks Stokes what is the 14 best way to deal with a person like D1527, and Stokes 15 replies, "Turn away and hope he's swinging". 16 D1527 appears in a further clip broadcast on the 17 Panorama programme from 4 May, in which he is seen on 18 the anti-suicide netting on the landing, having climbed 19 onto it. He says that he had not eaten for a long time 20 and requested some food, which was initially refused. 21 When he was eventually brought a plate, he was so angry 22 that he broke the plate and put it in the bin and 23 covered the window of his door. When he left the room, 24 the officers were still there. He says he asked the 25 officers to leave him alone, but they got closer and</p> <p style="text-align: center;">Page 21</p>	<p>1 (Video played) 2 MR ALTMAN: This is a good time to break, chair. 3 THE CHAIR: I think so, thank you. We will reconvene at 4 2.00 pm. Thank you. 5 (12.56 pm) 6 (The short adjournment) 7 (2.00 pm) 8 MR ALTMAN: Chair, turning to D687, he is a formerly 9 detained person at Brook House, a core participant in 10 this inquiry, he is vulnerable and unable to provide 11 evidence to the inquiry. He has, however, provided 12 a witness statement dated 8 January 2018 in judicial 13 review proceedings. Albeit unsigned, the inquiry 14 intends to adduce his evidence in the form of that 15 witness statement in due course. 16 He is from Somaliland. He came to this country when 17 he was ten years old, as a refugee. He has suffered 18 from mental health problems since he was a teenager and 19 has twice attempted suicide before being in immigration 20 detention. He has approximately ten convictions for 21 criminal offences. He was in detention at Colnbrook 22 Immigration Removal Centre and Dover Immigration Removal 23 Centre prior to Brook House following periods in prison. 24 He was at Brook House between October 2016 and 25 13 May 2017, when he was moved to the Verne.</p> <p style="text-align: center;">Page 23</p>
<p>1 closer, so he jumped on to the netting. He held a piece 2 of the broken plate against his neck, threatening to 3 jump. 4 While on the netting, he recalls officers and nurses 5 attending and trying to speak to him. He spoke to two 6 detainees in Arabic for around 20 minutes, who managed 7 to convince him to come down. 8 While other detained men sing, "I believe I can 9 fly", D1527 is clearly distressed and shouting, although 10 it is unclear what he is shouting. Tulley asks 11 Clayton Fraser, "What's the best way to deal with 12 someone like this?", and Fraser replies, "What Yan did", 13 an apparent reference back to the events of 25 April. 14 Tulley asks a DCM present, a manager present, "What if 15 he jumps?", and the manager replies, "It's his own 16 choice, isn't it". A staff member can be heard to shout 17 at D1527, "Fucking stay there then, we don't give 18 a shit". Eventually D1527 comes down from the netting 19 and, chair, we have some footage to play from that 20 incident. It is KENCOV1012, please, and it is a total 21 of about 22 minutes, beginning with V2017050400021, 22 beginning at 17:45. 23 (Video played) 24 MR ALTMAN: And then to the next one, please, which is 25 V2017050400022, which lasts nine minutes, chair.</p> <p style="text-align: center;">Page 22</p>	<p>1 He described his experience of detention at 2 Brook House. He says he was the subject of racist abuse 3 by staff members. Officers regularly used excessive 4 force to control detained persons, and other detained 5 persons told him that they had been beaten up in their 6 rooms. 7 He says that his mental health problems worsened in 8 detention. He have was depressed, stressed, emotional 9 and heard voices. He reported these issues, as well as 10 a previous assault, to healthcare, but little was done. 11 A rule 35 report was completed, but the Home Office 12 refused, he says, to release him. Where a concern is 13 raised regarding the welfare of a detained person, an 14 ACDT plan should be raised, something I dealt with 15 yesterday. It is the system used, to remind everyone, 16 for monitoring detained persons considered to be at risk 17 of self-harm and is operated across the detention estate 18 and modelled on that used by the Prison Service. On 19 5 May, he was placed on ACDT because he was feeling 20 suicidal and he threatened an overdose. 21 On 13 May, he attempted to commit suicide and was 22 restrained by members of staff. He is seen on the 23 footage in a toilet, and we will see the footage in 24 a few moments. He tore his T-shirt into strips and had 25 tied it to the bathroom rail and attempted to hang</p> <p style="text-align: center;">Page 24</p>

6 (Pages 21 to 24)

<p>1 himself. Members of staff enter the room by force. He 2 says that he was pushed to the floor, someone grabbed 3 his neck and he could not breathe. Someone twisted his 4 fingers and someone, he says, kneed him hard in the 5 ribs. Another staff member sat on his back. The 6 T-shirt was cut from his neck and they eventually let 7 him go. He was transferred to the Verne. During the 8 course of the incident, he was told that the reason for 9 the transfer was that he was not leaving the country any 10 time soon. On arrival, he was seen by a nurse, who sent 11 him to accident and emergency, where he was given 12 painkillers for bruised ribs. As I say, the incident 13 appears in the footage. It also appeared in the 14 Panorama broadcast, and we will now play it.</p> <p>15 There are two clips, one lasting a little short of 16 28 minutes, and the other of about two and a quarter 17 minutes in length. It is KENCOV1016, and the first clip 18 is V2017051300011, for 13 May. It starts at 2:05.</p> <p>19 (Video played)</p> <p>20 MR ALTMAN: Thank you. Then there should be a short, as 21 I say, further clip.</p> <p>22 (Video played)</p> <p>23 MR ALTMAN: Moving away, please, from D668 and on to D728, 24 he is not a core participant and the inquiry has not 25 received a statement from him. However, he appears in</p> <p style="text-align: center;">Page 25</p>	<p>1 shout and swear at him. Webb is heard to say, "Help us 2 and we'll help you. Dick us about and we'll make your 3 life a living fucking misery". He then calls him 4 a "fucking twat". D728 continues to cover the 5 observation hatch. Webb says, "He's doing it again. 6 He's pissing me right off!" and substituting his name 7 for his cipher, "D728, stop being a fucking idiot!". 8 Webb continues, "I'm not in the fucking mood for you 9 today", and D728 responds, quoting him, "I've tried to 10 take my life and you try to bully me". Webb replies, 11 "Do you think I care? I ain't in the fucking mood for 12 you, all right?"</p> <p>13 Callum Tulley asks, "How do you deal with someone 14 like that?", and Aaron Stokes, who he is talking to at 15 that time, says, "Chin him!". Steve Skitt arrives and 16 goes into the room, another member of staff. There is 17 then a conversation between Steve Skitt and D728 18 regarding his medication, an incident when D728 climbed 19 onto the netting and D728 tried to hang himself. I am 20 now going to ask that that footage be played. There are 21 two parts to this clip. It is KENCOV1044, it is 22 V2017070600007, so 6 July. The first clip lasts about 23 seven minutes and the second is about two minutes. 24 Thank you.</p> <p>25 (Video played)</p> <p style="text-align: center;">Page 27</p>
<p>1 key relevant footage, parts of which were also broadcast 2 on the programme, and you may recall I have already 3 summarised this incident from Callum Tulley's 4 perspective.</p> <p>5 On 6 July, Callum Tulley was conducting observations 6 on D728, who was in a room on E wing. But, as you heard 7 me say, he was covering the observation hatch with 8 toilet tissue. Callum Tulley filmed the incident. DCO 9 Charlie Francis and DCM Steve Webb were also in 10 attendance. Francis is heard to say to D728, "Right. 11 If I have to come back here again, you won't be going 12 anywhere today. You'll be staying down here 13 permanently. You understand?" There is an argument 14 with D728, some discussion regarding shop opening hours, 15 his property, and D728 wishing to take a shower. He 16 complains that he doesn't have his medication. Webb is 17 heard to say, "Listen, listen, right, shut up a minute! 18 Your fucking attitude depends on how this is gonna go 19 for you". He later says, "This is how this is gonna go 20 for you. Piss us off, you won't have a shower, you 21 won't have nothing". They then leave the room and Webb 22 comments, "I'll fucking punch the cunt, I tell ya". 23 Charlie Francis replies, "If you don't, I will".</p> <p>24 The incident continues as D728 covers, and continues 25 to cover, the observation hatch. Both Webb and Francis</p> <p style="text-align: center;">Page 26</p>	<p>1 MR ALTMAN: Chair, before we go on to the next clip, more 2 than one source has told me it is not "Steve Skitt", who 3 I mentioned a little earlier as someone who has 4 a conversation with D728, it is someone certainly called 5 Steve, but I'm not sure the last name is known, but what 6 I'm told is, it's not "Skitt", so apologies for that.</p> <p>7 Can we then go on, please, to play the last of these 8 two clips, which is part of the same reference, but 9 starts at 17:50.</p> <p>10 (Video played)</p> <p>11 MR ALTMAN: I think that's enough of that.</p> <p>12 So, moving on, then, please, to another detained 13 person, D1275, a core participant, appeared in the 14 programme on 14 June the footage shows him appearing in 15 the exercise yard intoxicated and unwell, having used 16 spice. Healthcare staff attend to him and conduct basic 17 observations, such as taking his temperature and blood 18 pressure. He is then moved to a room. The footage 19 shows him being mocked by Nathan Ring in the presence of 20 other staff members, asking him, "Does your face taste 21 nice? Cause you appear to be chewing it off!". 22 Derek Murphy then says, "I've no sympathy for them. 23 Absolutely no sympathy for them at all. If he dies, he 24 dies". The footage shows that healthcare staff remain 25 present, monitoring his heart rate and oxygen</p> <p style="text-align: center;">Page 28</p>

7 (Pages 25 to 28)

<p>1 saturation, and a nurse has a conversation with 2 Callum Tulley about the use of spice in Brook House, 3 voicing an opinion that someone will die soon. When 4 a nurse asks for D1275's name, Tulley and Ring look it 5 up in documentation and Ring reads his name and then 6 asks, "How do you pronounce that?" And he answers his 7 own question by saying, "Knob!" and "We'll stick with 8 'div!'. D1275 is heard singing and Nathan Ring 9 continues to mock him, asking him whether he took 10 requests, and refers to him as "div" and "scrotum". 11 When the nurse states that his heart rate is still high 12 and it needs to return to normal, he comments, "I'll get 13 him cold water. That will sort his heart out. That 14 will do it the world of good". When asked by 15 Callum Tulley what D1275 is doing now, Ring comments, 16 "Probably gurning. Checking out the inside of his 17 skull. Eyes are rolling around". 18 D1713. He is also a core participant and a formerly 19 detained person. He has provided evidence to the 20 inquiry but is vulnerable and unable to give live 21 evidence. He has been diagnosed with PTSD and severe 22 depression. 23 He is a Nigerian national who was detained at 24 Brook House between 31 March and 17 April and between 25 20 April and 22 April, a total of 19 days. He left</p> <p style="text-align: center;">Page 29</p>	<p>1 was in his room. 2 He describes being unable to eat in his first days 3 in detention and no-one checking whether he had eaten or 4 not. He continued to feel mentally unwell and was 5 reviewed by a mental health nurse a number of times. He 6 describes these consultations as brief and feeling that 7 he had not been given the time and space to say how he 8 felt. 9 He describes how he was threatened by staff at 10 Brook House and treated in a way that was often 11 degrading and, at times, abusive and offensive. He 12 recalls an incident where he asked a female member of 13 staff whether she would lock up a dog like she was 14 locking him up every night. She responded that she 15 would never lock up her dog but she would lock him up. 16 He was shocked and did not know to whom to report the 17 incident or how to make a complaint. 18 He describes people who were vulnerable, often 19 self-harming, being physically mistreated and manhandled 20 by staff at Brook House. He recalls incidents where 21 distressed, detained persons were subjected to physical 22 force to be taken to the CSU or "the block", even where 23 they were not resisting. He says he felt unable to 24 report any of these incidents or make any complaint. He 25 often saw detained persons under the influence of drugs,</p> <p style="text-align: center;">Page 31</p>
<p>1 Nigeria because he feared for his life after being 2 brutally attacked, and he arrived in this country 3 in July 2009 on a student visa, which expired 4 in April 2012, and he remained in the country as an 5 overstayer. On 22 October 2015, he was convicted of an 6 offence and conditionally discharged and fined. 7 He arrived at Brook House late one night and waited 8 for a long time in reception before being seen by 9 a nurse, as he recalls it. He says that he was not 10 asked if he was a victim of torture or if he wanted to 11 see a doctor and he was not asked specific questions 12 about his mental health. After the assessment, he was 13 taken to C wing and locked in his room. He says he felt 14 very low and had thoughts of hurting himself. 15 The following day, he saw Dr Chaudhary, who 16 prescribed antidepressants. He wasn't asked many 17 questions or if he had been a victim of torture and 18 there was no examination of his scars. He then saw 19 a mental health nurse. Again, he says that he wasn't 20 asked if he was a victim of torture or about his scars. 21 He continued to have thoughts of harming himself. 22 Following these consultations, 1713 was placed on an 23 ACDT plan and observed every hour. He says that he was 24 sometimes observed less often and the staff members 25 observing him did not speak to him but only checked he</p> <p style="text-align: center;">Page 30</p>	<p>1 including at one time his roommate, who smoked spice in 2 their room. He found the use of drugs to be 3 frightening. At times he felt at risk from other 4 detained persons. On 17 April, he was transferred from 5 Brook House to Harmondsworth without notice. He'd been 6 doing his laundry and was forced to pack wet clothes and 7 wear a wet T-shirt on transfer. Three days later, on 8 20 April, he was transferred back to Brook House. On 9 reception, he was seen by a nurse, who, again, seemed 10 not to listen to him. He was not asked if he was 11 a victim of torture or if he wished to see a doctor, and 12 two days later, on the 22nd, he was transferred back to 13 Harmondsworth. He doesn't appear in any video footage 14 from Brook House. 15 D1473 was formerly detained at Brook House. He has 16 provided a witness statement to the inquiry and he is 17 a core participant. He, too, is vulnerable and unable 18 to give live evidence. He was detained at Brook House 19 from 19 August to 29 September 2017. He suffers from 20 mental health problems, which were made worse by 21 detention. He describes that his experience of 22 detention was very difficult for him. 23 Prior to arriving at Brook House, he'd been detained 24 at the Verne. An ACDT plan had been opened for him 25 while he was at the Verne. On 19 August, he was</p> <p style="text-align: center;">Page 32</p>

<p>1 transferred to Brook House.</p> <p>2 On the 23rd of that month, there was an attempted</p> <p>3 removal of him to Nigeria, despite him having</p> <p>4 outstanding representations to the Home Office, which</p> <p>5 had been made on 16 August. He knew of the charter</p> <p>6 flight scheduled for 23 August but had been told he</p> <p>7 wouldn't be on it. Despite this, a manager at</p> <p>8 Brook House told him that he would be on the flight. He</p> <p>9 explained that he should not be on it because the</p> <p>10 Home Office had yet to consider his further</p> <p>11 representations for leave to remain. He was shocked and</p> <p>12 frightened about what was going to happen to him. He</p> <p>13 retrieved his paperwork but nevertheless was moved to be</p> <p>14 put on the flight. Staff members, he says, didn't</p> <p>15 listen to what he said. He didn't resist, but,</p> <p>16 nonetheless, was placed in a waist restraint belt for</p> <p>17 a lengthy period of around five and a half hours, which</p> <p>18 he found both painful and humiliating.</p> <p>19 He found the experience of that night terrifying the</p> <p>20 and humiliating from start to finish. Following this</p> <p>21 episode, he saw a mental health nurse -- that was on</p> <p>22 26 August -- as his mental health got worse, and he felt</p> <p>23 suicidal. He was also in physical pain.</p> <p>24 He made complaints concerning his attempted removal</p> <p>25 and restraint on 23 August. The Home Office referred</p> <p style="text-align: center;">Page 33</p>	<p>1 legal advice or external organisations. You will hear</p> <p>2 evidence from her on a number of issues, including</p> <p>3 Brook House management restricting the number of drop-in</p> <p>4 sessions which they were allowed to have with detained</p> <p>5 persons, and telling them that it was inappropriate for</p> <p>6 them to refer detained persons on to other agencies;</p> <p>7 allegations that management were inappropriately</p> <p>8 defensive when GDWG reported concerns about the</p> <p>9 well-being and safety of detained people; a lack of</p> <p>10 trust between GDWG and G4S, as well as the Home Office;</p> <p>11 the behaviour of managers towards GDWG staff and having</p> <p>12 an effect on their work for detained persons, including</p> <p>13 making them more cautious about saying anything that</p> <p>14 might be construed as criticism of management; that GDWG</p> <p>15 received reports from detained persons of physical</p> <p>16 mistreatment; the fact that some detained persons</p> <p>17 reported instances when detention and healthcare staff</p> <p>18 verbally abused them, and one thing in particular that</p> <p>19 she talks about is detention officers would, with</p> <p>20 obvious disdain, tell them to "go back to your own</p> <p>21 country", whilst others said they had witnessed abuse</p> <p>22 directed at themselves or others, including racist</p> <p>23 terms; her overall impression was that many officers</p> <p>24 during the relevant period viewed detained people</p> <p>25 negatively and behaved towards them in a manner which</p> <p style="text-align: center;">Page 35</p>
<p>1 the restraint complaint to Tascor. Both complaints were</p> <p>2 rejected.</p> <p>3 So, chair, that's all I have to say about the</p> <p>4 statements of formerly detained persons, and that's all</p> <p>5 the footage I am going to play during the course of this</p> <p>6 opening statement.</p> <p>7 I now move on to non-governmental organisations, as</p> <p>8 well as some other witnesses, and just summarise what</p> <p>9 the inquiry is going to hear from them.</p> <p>10 First, you will hear evidence from Anna Pincus,</p> <p>11 director of the Gatwick Detainees Welfare Group, as well</p> <p>12 as James Wilson and Jamie Macpherson from that</p> <p>13 organisation. The group has been working with detained</p> <p>14 people at Brook House since it was opened in 2009.</p> <p>15 Primarily, that's done by a network of trained volunteer</p> <p>16 visitors who visit detained people to offer empathy,</p> <p>17 support, practical help and friendship. Visitors are</p> <p>18 matched with a detained person and can meet them each</p> <p>19 week for as long as they are detained. Additionally,</p> <p>20 GDWG have a team of advocacy coordinators, which</p> <p>21 included Anna Pincus during the relevant period, who</p> <p>22 co-ordinate and support the work of volunteer visitors</p> <p>23 and provide support and advocacy for detained persons,</p> <p>24 including providing extra clothing and phone credit,</p> <p>25 liaising with legal representatives and signposting to</p> <p style="text-align: center;">Page 34</p>	<p>1 ultimately dehumanised them or contributed to their</p> <p>2 dehumanisation; reports from detained persons that staff</p> <p>3 failed to intervene when people were bullied or abused</p> <p>4 by other detained people is another of the themes with</p> <p>5 which she deals. She deals with their views on the</p> <p>6 barriers preventing detained people from disclosing</p> <p>7 mistreatment, whether to them or to others, and their</p> <p>8 work on the scale of mental health problems and other</p> <p>9 vulnerabilities among detained persons and their</p> <p>10 treatment by and access to healthcare. And, finally,</p> <p>11 concerns about the level of oversight and scrutiny</p> <p>12 provided by the IMB.</p> <p>13 Freedom from Torture is a UK-based human rights</p> <p>14 organisation who provide specialist psychological</p> <p>15 therapy and clinical services to survivors of torture.</p> <p>16 They also provide training for professionals working</p> <p>17 with torture survivors as well as campaigning for change</p> <p>18 here and across the world. Chair, a significant number</p> <p>19 of men detained at Brook House during the relevant</p> <p>20 period have said they were previously the victims of</p> <p>21 torture. You will hear evidence from Sile Reynolds,</p> <p>22 head of Asylum Advocacy, who says that Freedom from</p> <p>23 Torture is a UK-based human rights organisation and one</p> <p>24 of the largest torture rehabilitation centres in the</p> <p>25 world. Each year, the organisation provides clinical</p> <p style="text-align: center;">Page 36</p>

<p>1 and legal services, including medico-legal reports, to 2 more than 1,000 survivors of torture in the UK, the vast 3 majority of whom are asylum seekers or refugees. They 4 also have a legal advice and welfare service that 5 provides support to torture survivors in treatment at 6 a Freedom from Torture centre.</p> <p>7 You are going to hear evidence from Anton Bole from 8 the Forward Trust. He was leader of the substance 9 misuse team within Forward Trust at Brook House during 10 the relevant period. He describes the presence of 11 drugs, particularly spice, within Brook House, and notes 12 that some detained people would begin using drugs for 13 the first time while at Brook House to alleviate their 14 distress and forget about being detained. The 15 Forward Trust provided training to staff, induction for 16 new residents, as well as group workshops, and 17 one-to-one sessions for detained people who wanted help 18 with drug and alcohol use, which Mr Bole believes were 19 successful, based on feedback. Substance misuse 20 services are now provided by PPG, who are the current 21 incumbents of healthcare at Brook House, as you know, 22 and have become part of their overall healthcare 23 department.</p> <p>24 The inquiry has also obtained evidence from other 25 NGOs, who will not be called to give oral evidence, but</p> <p style="text-align: center;">Page 37</p>	<p>1 employed by the time Dr Aitken reported his concerns. 2 And he also reports detained persons complaining 3 about their medication being confiscated, but that their 4 complaints overwhelmingly centred on what they saw as 5 the unfairness of Home Office processes relating to 6 detention and deportation.</p> <p>7 In addition, you will receive evidence from Reverend 8 Nathan Ward and Owen Syred. Reverend Ward is a former 9 G4S employee and senior manager who worked for the 10 company from 2011 to 2014 and worked at the Gatwick 11 removal centres from 2011. His last job title 12 between July 2012 and May 2014 was head of 13 Tinsley House. He appeared in the Panorama programme as 14 a former employee and whistleblower.</p> <p>15 Owen Syred worked for two periods with G4S as a DCO 16 and as a welfare officer. The first period started 17 in October/November 2009. From late 2009/early 2010, he 18 worked on C wing at Brook House. Then he worked on 19 E wing for eight to nine months in 2011. He resigned in 20 late 2012/early 2013 for a role with the company GEO, 21 which is a secure prisoner service provider, as a prison 22 escort officer for court and tribunal appearances. 23 However, he returned to G4S in around April 2014, where 24 he remained until June 2021 when, on 16 June, he was 25 dismissed by Serco, as you know, which is the successor</p> <p style="text-align: center;">Page 39</p>
<p>1 whose statements will be disclosed and published on the 2 inquiry's website. This includes evidence from the 3 British Red Cross, Detention Action, Bail for 4 Immigration Detainees, BID, and INQUEST.</p> <p>5 One other witness you are to hear from is 6 Dr Dominic Aitken. He is an academic who was, 7 coincidentally, doing research at Brook House during the 8 relevant period in June and July. He was given 9 relatively unrestricted access during his time in 10 Brook House and carried out observations and interviews, 11 looking at how staff responded to self-harm and suicidal 12 behaviour and how dealing with detained persons' 13 distress fit into their responsibilities. Summarising 14 what he says, he saw one detained person withdrawing 15 from alcohol addiction and observed staff to be 16 ill-equipped to deal with such a serious issue. In the 17 main, self-harm and suicidal behaviour among detained 18 persons was taken seriously by staff at Brook House. 19 However, a minority of staff thought self-harm was 20 sometimes used by detained persons as a form of 21 "manipulation" or was attention seeking or was a protest 22 against deportation.</p> <p>23 He says there was one member of healthcare staff who 24 made several observations which Dr Aitken thought were 25 insensitive and unprofessional but that he was no longer</p> <p style="text-align: center;">Page 38</p>	<p>1 organisation to G4S at Brook House, and he says that was 2 on grounds of ill-health.</p> <p>3 Chair, it is 3.05 pm. I have still got a small 4 amount to deal with, in terms of experts, and then 5 something to say about other reviews and reports. 6 I hope to finish today, but if I can't, I might just 7 have to borrow a little from tomorrow morning.</p> <p>8 THE CHAIR: Okay. Would you like to take a break? 9 MR ALTMAN: Perhaps we can have our break now and come back 10 at, say, 3.20 pm? 11 THE CHAIR: Absolutely. Thank you very much. I will see 12 you at 3.20 pm. 13 (3.05 pm) 14 (A short break) 15 (3.22 pm) 16 MR ALTMAN: Chair, let me say a little now about the three 17 experts who have been instructed to assist you in 18 fulfilling the terms of reference of this inquiry. 19 Professor Bosworth and Dr Hard have produced expert 20 reports which have been disclosed to core participants 21 and, as I said before, in phase 2 you will hear live 22 evidence from each of them.</p> <p>23 Professor Bosworth is a professor of criminology and 24 director of the Centre for Criminology at the University 25 of Oxford where she is also a Fellow of St Cross</p> <p style="text-align: center;">Page 40</p>

<p>1 College. She has been conducting independent, academic 2 research inside immigration removal centres in the UK 3 since 2009, during which she has visited all the 4 centres, including Brook House. Whilst there, she 5 interviewed detained persons as well as staff who work 6 with them. She has published a range of pieces that 7 have drawn on this research, including a research 8 monograph, numerous book chapters, academic journal 9 articles and reports.</p> <p>10 She contributed a literature review on the impact of 11 immigration detention on mental health to the 2016 12 "Review into the Welfare in Detention of Vulnerable 13 Persons by Stephen Shaw". In 2018, she produced 14 a literature review on alternatives to detention in his 15 follow-up review. She also co-convoked an event on 16 staff culture and contributed a paper on this topic, 17 which was included in the 2018 report.</p> <p>18 She has viewed all the relevant BBC footage as well 19 as examining other material held by the inquiry in order 20 to prepare her report. She reaches a number of 21 preliminary conclusions. In summary, she considers that 22 the evidence provided to the inquiry so far shows that, 23 in 2017, Brook House was an institution with a number of 24 problems. Her view is that, while some of these 25 problems were specific to Brook House at the time, many</p> <p style="text-align: center;">Page 41</p>	<p>1 security; to eradicating racist and sexist beliefs and 2 language, and to developing a shared culture with the 3 detained population that emphasises the dignity and 4 decency of all.</p> <p>5 Dr James Hard was asked to assist the inquiry with 6 his expert opinion in connection with the medical and 7 clinical care issues within Brook House during the 8 relevant period. He holds a degree of Bachelor of 9 Medicine, Bachelor of Surgery MBBS, and is a Fellow of 10 the Royal College of General Practitioners. As a GP, he 11 developed further special interests in substance misuse 12 and prison medicine. He has worked in several English 13 and Welsh, both public and private sector, prisons and 14 has over 15 years of experience. He is the chair of 15 the Royal College of GPs' Secure Environments Group. He 16 is an associate advisor to the Parliamentary and Health 17 Service Ombudsman and provides clinical advice across 18 the general practice, substance misuse and prison 19 domains. He has been a clinical reviewer commissioned 20 by NHS England to assist the PPO with death in custody 21 investigations. He has contributed to the National 22 Institute for Health & Care Excellence -- NICE -- 23 Guideline Development Group for the physical health of 24 people in prisons.</p> <p>25 Dr Hard has viewed a selection of clips of the BBC</p> <p style="text-align: center;">Page 43</p>
<p>1 of the issues raised in the evidence, including low 2 levels of trust and a lack of clarity of institutional 3 purpose are common throughout the immigration detention 4 estate.</p> <p>5 She found that high rates of staff turnover, low 6 levels of trust amongst staff and about the detained 7 men, combined with an immigration process that was hard 8 for anyone to understand and a population with poor 9 mental and physical health and the presence of drugs 10 created a difficult and volatile environment.</p> <p>11 She identified additional factors, including 12 widespread, unchecked sexism, some level of racism, 13 xenophobia, which made matters worse. She found that 14 Brook House, under these conditions, was neither 15 sufficiently caring nor was it secure or decent for the 16 detained population or for staff.</p> <p>17 While noting that there has been a considerable 18 passage of time since the 2017 events and a new company 19 is running Brook House, Professor Bosworth concluded 20 that the evidence submitted to the inquiry holds 21 a number of lessons, not just about the past, but also 22 for the future.</p> <p>23 Addressing those lessons, her view is that to ensure 24 that the events of 2017 do not recur, greater attention 25 needs to be paid to the balance between care and</p> <p style="text-align: center;">Page 42</p>	<p>1 footage, as well as CCTV and body-worn camera footage, 2 and has examined other relevant documentary material 3 held by the inquiry in order to prepare his report.</p> <p>4 Based on his review of the available documentary 5 evidence provided to date concerning the relevant 6 period, he's concluded that the system for rule 35 and 7 the Adults at Risk policy were inadequate and would 8 benefit from a review in order to establish a more 9 dynamic and efficient approach to detained persons 10 considered to be at risk.</p> <p>11 His view is that the systematic approach to the 12 training and education of staff in a number of areas was 13 inadequate. He found this was particularly relevant to 14 the use of force, ACDT and rule 35. He concluded that 15 none of these features directly resulted in the 16 mistreatment of detained persons. However, his view is 17 that, as a result of deficiencies he identified in each 18 of these areas, overall, there was an inadequate system 19 for the prevention of mistreatment of detained persons.</p> <p>20 Based on the observations he made, he provides 21 a number of high-level recommendations in order to try 22 and address some of these issues, all of which we will 23 hear about in due course.</p> <p>24 Jonathan Collier, also known as Jon Collier, was the 25 head of centre of the National Tactical Response Group,</p> <p style="text-align: center;">Page 44</p>

<p>1 the NTRG, of Her Majesty's Prison and Probation Service, 2 HMPPS, from November 2019 to June 2020. The NTRG are 3 responsible for the development and delivery of all use 4 of force training for accredited users of 5 the curriculum. Mr Collier is now operational practice 6 delivery manager within the Directorate of Security at 7 HMPPS.</p> <p>8 He has been a Prison Service use of force instructor 9 for over 25 years, which has included instructing and 10 both managing and designing the syllabus currently being 11 used within HMPPS and other approved agencies, including 12 the immigration detention estate. He has been the 13 national lead for restraints in juvenile settings and 14 assisted with policy and procedural development across 15 both sectors. His experience extends into incident 16 management and local governance and scrutiny of use of 17 force incidents at all levels. He has provided 18 establishment support to both HMPPS and 19 privately-operated immigration removal centres. He was 20 the initial lead for the development of a bespoke 21 Home Office restraint system for escorting and has 22 extensive knowledge of use of force related rules and 23 policies. He has acted as an expert witness for several 24 high-profile inquests and inquiries.</p> <p>25 He has provided Sussex Police with three reports</p> <p style="text-align: center;">Page 45</p>	<p>1 were a cause for concern to the inquiry. Three were 2 provided as examples of where the use of force seemed to 3 be necessary, reasonable and appropriate, and three were 4 provided as random examples for additional context. He 5 is reviewing BBC CCTV and body-worn camera footage, as 6 well as any written documentation held by the inquiry in 7 relation to these incidents.</p> <p>8 Once his report is finalised, Mr Collier's report 9 will, of course, be disclosed to core participants, and 10 he, too, will give his evidence about it in phase 2.</p> <p>11 Let me leave experts behind and turn finally to 12 other reviews and reports. Chair, in your determination 13 of scope of 6 January 2021, you said this inquiry needs 14 to build on the findings of other relevant reviews and 15 investigations, but would not seek to duplicate the work 16 of others.</p> <p>17 Several reports have followed the revelations made 18 in the Panorama programme. In July 2018, Stephen Shaw 19 published his report, "Assessment of Government Progress 20 in Implementing the Report on the Welfare in Detention 21 of Vulnerable Persons". G4S commissioned Verita to 22 conduct an independent investigation into concerns about 23 Brook House and Verita reported in November 2018. These 24 facts, or some of them, you will remember from where 25 I started yesterday.</p> <p style="text-align: center;">Page 47</p>
<p>1 related to a particular incident at Brook House 2 regarding the use of force incident involving D1527 and 3 DCO Yan Paschali on 25 April, about which I have already 4 made mention, and the video footage from which we have 5 viewed.</p> <p>6 The purpose of those reports was to assist the 7 police and the Crown Prosecution Service with the 8 decision whether to bring criminal proceedings against 9 Yan Paschali in relation to that use of force incident. 10 Sussex Police carried out a criminal investigation, 11 following which a case was passed to the Crown 12 Prosecution Service. On 7 November 2018, the Crown 13 Prosecution Service informed D1527 that no criminal 14 charges would be brought. You will recall that I have 15 already summarised his conclusions to Sussex Police as 16 regards that particular use of force incident on 17 25 April.</p> <p>18 For the purposes of his report to this inquiry, he 19 has been asked to set out the relevant rules and 20 guidance governing the use of force at Brook House and 21 to provide his expert opinion in relation to 43 of 22 the 109 use of force incidents which occurred during the 23 relevant period and whether they were each carried out 24 in accordance with those rules and guidance. 25 Thirty-seven of those incidents were chosen because they</p> <p style="text-align: center;">Page 46</p>	<p>1 The Home Affairs Select Committee, HASC, was 2 prompted by the broadcast and wider concerns about "the 3 inappropriate use of immigration detention and its 4 damaging effect on the mental health and well-being of 5 detainees". Finally, in July 2019, the National Audit 6 Office reported on the Home Office's management of its 7 contract with G4S to run Brook House immigration removal 8 centre.</p> <p>9 For now, as I said before, I am only going to 10 summarise two of the reports -- the Shaw report and the 11 Verita report. Let me begin with Shaw.</p> <p>12 The report covered various immigration detention 13 centres, including Brook House, and involved visits to 14 Brook House in September 2017, November 2017, as well 15 as January 2018. This was his follow-up to his 2016 16 report. He noted, on the basis of these visits, that 17 the Brook House site "is cramped and remains prison like 18 in personal and communal spaces", and he expressed 19 disappointment that the Home Office had gone ahead in 20 adding a third bed to some rooms, in which Mr Shaw did 21 not find conditions, as he put it, "remotely acceptable 22 or decent".</p> <p>23 In light of the programme broadcast, as we know, 24 in September 2017, whilst the report was in progress, 25 Mr Shaw said he knew, again quoting him, that he "needed</p> <p style="text-align: center;">Page 48</p>

12 (Pages 45 to 48)

<p>1 to say much more about staffing and staff culture and 2 the impact they have on detainee welfare". Some of 3 the findings that he made in relation to healthcare at 4 Brook House include that mental health staff would see 5 patients they believed to be unfit for detention but 6 whom outside hospitals would not accept; rule 35s were 7 identified by healthcare staff as a key issue, with 8 staff suggesting it was outside their competence to 9 interpret what constituted torture and that Home Office 10 case owners dismissed these reports too readily, 11 damaging the relationships between clinical staff and 12 patients. More broadly, Mr Shaw recommended that those 13 assessed as being at level 3 of the Adults at Risk 14 policy should only be held in detention in "exceptional 15 circumstances".</p> <p>16 Next, he said that staff felt that "detainee demands 17 can be unrealistic, and that exaggerated health needs 18 were used to delay deportation or maximise benefits 19 before removal". He said the undercurrent of suspicion 20 and disbelief amongst staff when talking about detained 21 persons who self-harm was also identified by 22 Dr Dominic Aitken, who I referred to a little earlier, 23 and Mr Shaw added that a high proportion of the written 24 complaints were about medication.</p> <p>25 In relation to oversight, it was noted that it was</p> <p style="text-align: center;">Page 49</p>	<p>1 after the first couple of months on the wing, saying, 2 "I think through time and from experiences of having 3 people self-harm or do certain bad stuff, you just grow 4 immune to it. It's just part and parcel of the job".</p> <p>5 Mr Shaw added in this regard Brook House had 6 experienced a "haemorrhage of staff", exacerbated by 7 Panorama, but also related to things like the higher 8 salaries offered in prisons.</p> <p>9 Finally, in this regard, he said it was arguable 10 that, as a large organisation, G4S could have done more 11 to "fully utilise its company-wide staffing resource in 12 support of Brook House".</p> <p>13 So that's him. Let me turn to the Verita report. 14 In November 2017, soon after the Panorama broadcast, G4S 15 commissioned Verita to carry out an independent 16 investigation into concerns about Brook House. The 17 terms of reference stated that the purpose of 18 the investigation was to "understand the extent and root 19 causes of the matters highlighted in a Panorama 20 programme, dealing with the treatment of detainees at 21 Brook House" and it would "examine G4S's management, 22 operational and staffing arrangements and the practices 23 and behaviours of G4S's staff".</p> <p>24 During the course of around five months, 25 Kate Lampard and Ed Marsden, the authors of the report,</p> <p style="text-align: center;">Page 51</p>
<p>1 evident that G4S's whistleblowing procedures were not 2 sufficient to bring the misconduct identified in 3 Panorama to the attention of managers; that there was 4 a good system for monitoring and responding to 5 complaints and the formal complaints process was robust; 6 that the IMB's resources for Brook House were 7 insufficient; and although it was right that each 8 contractor had its own monitoring processes, the 9 Home Office needed to strengthen its second level of 10 assurance, including monitoring, as he put it, quoting 11 him, "recruitment, training and development, performance 12 management, the adequacy of whistleblowing arrangements, 13 the monitoring of formal and informal complaints, the 14 gender/ethnicity mix of staff, the numbers and 15 visibility of managers, as well as the methods for 16 recording and monitoring use of force. It would also be 17 valuable to assess contractors' processes for monitoring 18 detainee views".</p> <p>19 Some of the findings about staff included that, in 20 some cases, staff felt unsafe as a result of staffing 21 levels, particularly when constant watches took some 22 staff off of the units. In one case at Brook House, 23 there was perceived to be a lack of control as a result.</p> <p>24 There was one staff member, he said, who had been 25 a DCO at Brook House, described growing a thicker skin</p> <p style="text-align: center;">Page 50</p>	<p>1 had unrestricted access to Brook House. They carried 2 out interviews with a large number of staff and 3 management there, as well as with some NGOs and 4 oversight bodies. Those interviews have been disclosed. 5 As I say, the report was published a year afterwards, 6 in November 2018.</p> <p>7 Their findings about management at Brook House 8 include that, since opening, there had been a history of 9 dysfunctional relationships and instability in the 10 senior management team; that management arrangements 11 were at their weakest in relation to front-line 12 management by detainee custody managers, that they 13 didn't have the numbers, the capability or the training 14 to give the necessary attention to line managing 15 detention custody officers.</p> <p>16 In relation to staffing, they found that the 17 staffing plan prior to September 2017 did not provide 18 enough staff to ensure the smooth running of the centre 19 and an adequate regime and activities programme for 20 detained persons; that there were problems with staff 21 retention for various reasons, including inadequate pay, 22 lack of bonuses, no pay rises, which had been made worse 23 by Panorama; and quoting what they say, "The lack of 24 staff and the failure to retain staff had a profound and 25 detrimental impact on many aspects of life at</p> <p style="text-align: center;">Page 52</p>

<p>1 Brook House for detained persons, managers and staff";</p> <p>2 and that staff shortages meant that violence among</p> <p>3 detained persons was not properly managed and sometimes</p> <p>4 left staff and detained persons feeling insecure and</p> <p>5 unsupported, and that they perceived Brook House as</p> <p>6 unsafe.</p> <p>7 As for the environment there, Verita reported that,</p> <p>8 although Brook House was not at capacity, the authors</p> <p>9 were left with an overwhelming impression of it as</p> <p>10 "overcrowded and unsettled". The activities available</p> <p>11 didn't meet the standards under rule 17 of the Detention</p> <p>12 Centre Rules, posing a risk to detained persons' welfare</p> <p>13 and well-being and to the general safety and security of</p> <p>14 the centre. The standard of cleaning had been a problem</p> <p>15 for some time and was unacceptable. G4S had incurred</p> <p>16 significant financial penalties under the contract as</p> <p>17 a result.</p> <p>18 As for the care and welfare of detained men, they</p> <p>19 reported that there were a number of management</p> <p>20 committees involved, but these were chaired poorly and</p> <p>21 lacked focus. Staff did not have time to address the</p> <p>22 needs of detained persons. Although risk assessments</p> <p>23 were conducted regarding room sharing, staff felt under</p> <p>24 pressure not to allocate single occupancy.</p> <p>25 From May 2017 until March 2018, the induction policy had</p> <p style="text-align: center;">Page 53</p>	<p>1 of any unauthorised use of force or of any poorly</p> <p>2 planned or poorly managed use of force incident, it is</p> <p>3 essential that there is regular and rigorous review and</p> <p>4 oversight of all use of force at Brook House".</p> <p>5 Lastly in this regard, there was a previous weakness</p> <p>6 of staff not wearing body cameras, but they had been</p> <p>7 wearing them since March 2018.</p> <p>8 In terms of culture and relationships, they said</p> <p>9 most detained persons said they had no complaints about</p> <p>10 how staff treated them, though many centred on staff</p> <p>11 being too busy to give them the attention they would</p> <p>12 have liked, and some found interactions "dehumanising"</p> <p>13 or said staff lacked training or experience.</p> <p>14 In a survey of detained persons, some mentioned</p> <p>15 threats or violence from fellow detained persons, none</p> <p>16 mentioned physical assault by staff, though a few</p> <p>17 referred to verbal abuse.</p> <p>18 The authors stated that they were "left with</p> <p>19 concerns that some staff and DCMs at Brook House might</p> <p>20 exert a malign and undue influence over colleagues and</p> <p>21 that their behaviours were not subject to appropriate</p> <p>22 challenge".</p> <p>23 The risk of inappropriate behaviour by staff was</p> <p>24 heightened by four issues: the absence of strong and</p> <p>25 visible management ensuring reinforcement of expected</p> <p style="text-align: center;">Page 55</p>
<p>1 been largely disregarded, something which they said was</p> <p>2 entirely unsatisfactory. Staff understood their</p> <p>3 obligations under the ACDT process, but didn't engage</p> <p>4 with the detained persons subject to it. And incidents</p> <p>5 of bullying and violence had not been investigated</p> <p>6 properly since 2015, according to the violence reduction</p> <p>7 manager.</p> <p>8 As for healthcare, nursing staff attended all</p> <p>9 planned use of force incidents, but they had no formal</p> <p>10 training for their role and responsibilities in relation</p> <p>11 to the use of force. The provision of healthcare</p> <p>12 services was good, and probably faster for most detained</p> <p>13 persons than if they were in the community. And</p> <p>14 detained persons had strong concerns, and there was</p> <p>15 significant distrust of healthcare staff.</p> <p>16 In relation to the use of force by staff against</p> <p>17 detained persons, Verita reported that, beyond Panorama,</p> <p>18 the authors "were given further cause for concern about</p> <p>19 staff attitudes to the use of force on detainees and</p> <p>20 about the processes for managing and overseeing the use</p> <p>21 of force at Brook House"; that although use of force was</p> <p>22 meant to be subject to scrutiny meetings, scheduled</p> <p>23 meetings were usually cancelled due to the lack of a use</p> <p>24 of force coordinator. The authors noted that, "Given</p> <p>25 the potential consequences for both detainees and staff</p> <p style="text-align: center;">Page 54</p>	<p>1 behaviour; lack of staff; inexperience of many staff;</p> <p>2 and an assertive laddish culture.</p> <p>3 As for the ability to whistleblow and raise</p> <p>4 concerns, there was a need for Brook House, they said,</p> <p>5 to have a more relevant local policy referring</p> <p>6 explicitly to the need to report inappropriate conduct</p> <p>7 or abusive behaviour by fellow staff; staff said that</p> <p>8 they were unwilling to report concerns about staff and</p> <p>9 managers; and the report authors thought that there</p> <p>10 should be a single spreadsheet logging all alleged</p> <p>11 misconduct by staff, however they might have come to</p> <p>12 light, with action being taken.</p> <p>13 Finally, in relation to oversight and NGOs, they</p> <p>14 reported that Her Majesty's Inspector of Prisons'</p> <p>15 January 2017 report had been positive and did not</p> <p>16 clearly identify certain issues that had been evident</p> <p>17 since at least mid 2016, including the lack of staff,</p> <p>18 disaffection of staff, inadequacies of management</p> <p>19 arrangements and behaviour, and the size or nature of</p> <p>20 the detainee population. More focused questions, they</p> <p>21 say, might have identified some of these issues, and it</p> <p>22 was noted that HMIP, the Inspectorate, had changed its</p> <p>23 report.</p> <p>24 The IMB's May 2018 report covering the year to the</p> <p>25 end of December 2017 did not mention weaknesses in</p> <p style="text-align: center;">Page 56</p>

<p>1 administration and governance at Brook House, 2 particularly regarding the use of force. The authors 3 thought that the tone of the report was more accepting 4 and not as critical or challenging as it might have 5 been, something which was in keeping with what they 6 found when meeting the IMB. It was observed that the 7 IMB had a tendency to overempathise with G4S, rather 8 than holding them vigorously to account. 9 They turned attention to GDWG, the Gatwick Detainees 10 Welfare Group. Their relationship with managers and the 11 Home Office became strained, they said, in 2017, with 12 the G4S senior management team being unnecessarily 13 defensive and possibly overidentifying with the 14 Home Office. 15 Home Office managers, dealing with them, 16 acknowledged that the Home Office monitoring of 17 the performance of the contract at Brook House tended to 18 be based on consideration of the individual elements of 19 contract performance and compliance and that they had 20 not taken an approach that examined and questioned the 21 wider concerns of the care and welfare of detained 22 persons, their quality of life and experience of being 23 detained in Brook House. 24 Finally, in this regard, despite all of it, the 25 authors of the report found no evidence that any agency</p> <p style="text-align: center;">Page 57</p>	<p>1 (continued) 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p> <p style="text-align: center;">Page 59</p>
<p>1 or senior manager knew of a significant problem with 2 staff behaviour and treatment of detained persons before 3 Panorama. The authors concluded that they did not 4 believe that these events should have been predicted. 5 The report also made over 50 recommendations, again, 6 something to which we will have to return in phase 2, 7 together with the other reports I have mentioned but 8 haven't been able to summarise today. 9 So, chair, that's all I propose to say by way of 10 opening remarks on behalf of counsel to this inquiry. 11 You will want to invite opening statements from the 12 legal representatives on behalf of the core 13 participants, I anticipate, looking at the time, 14 tomorrow morning. 15 THE CHAIR: Yes, absolutely, that's good timing for us to 16 stop there, and we will reconvene at 10.00 am tomorrow. 17 Thank you very much. 18 (3.52 pm) 19 (The hearing was adjourned to 20 Thursday, 25 November 2021 at 10.00 am) 21 22 23 I N D E X 24 25 Opening statement by MR ALTMAN1</p> <p style="text-align: center;">Page 58</p>	

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