

Home Affairs Committee

Oral evidence: [Brook House Immigration Removal Centre, HC 346](#)

Thursday 14 September 2017

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Members present: Yvette Cooper (Chair); Mr Christopher Chope; Stephen Doughty; Sarah Jones; Stuart C. McDonald; Ms Esther McVey; Naz Shah.

Questions 1-208

Witnesses

[I](#): Rev. Nathan Ward, former Duty Director at Brook House, and James Wilson, Director, Gatwick Detainees Welfare Group.

[II](#): Peter Neden, Regional President, UK and Ireland, G4S, and Jerry Petherick, Managing Director, Custody and Detention Centres, G4S.

Written evidence from witnesses:

– [G4S](#)

Examination of witnesses

Witnesses: Rev. Nathan Ward and James Wilson.

Q1 Chair: Welcome to this morning's evidence session, the first of the newly reconstituted Home Affairs Committee. I welcome Mr Ward and Mr Wilson. Thank you for coming to give evidence to us today. Please briefly introduce yourselves and explain your background for the panel.

James Wilson: Thank you. I am James Wilson from the Gatwick Detainees Welfare Group. Thank you very much for inviting me to give evidence today. I am the director of the charity that supports people in detention at Gatwick. We have been working in Gatwick, at Tinsley and later at Brook House, since 1996, when Tinsley House opened. We supported nearly 1,400 people in 2016, and we assist with a range of emotional and practical needs of detainees.

Rev. Nathan Ward: My name is Nathan Ward. I joined G4S in 2001 and became head of children's services at Gatwick IRCs in 2011, head of Tinsley House in 2012, and resigned in 2014. Part of my role at the Gatwick IRCs was as a duty director, so it was a shared senior management team across Tinsley House and Brook House.

Q2 Chair: Thank you. We have called this evidence session because of the "Panorama" programme on Brook House. Could you start by telling us whether you were surprised by what you saw in the footage from Brook House?

Rev. Nathan Ward: Personally, I wasn't surprised but shocked at the level of abuse that was going on. I had been raising concerns about practice within G4S since 2001. In particular, I raised concerns to Jerry Petherick upon my resignation.

Q3 Chair: What sort of concerns had you been raising?

Rev. Nathan Ward: I had been raising concerns about staff and management culture, and practices in relation to reporting figures to the Home Office.

Q4 Chair: Similar to those that we saw on "Panorama", or different?

Rev. Nathan Ward: Similar. However, I had never seen anyone attempt to strangle a detainee. It was not to that extent but, sadly, the cultures were prevalent, but also prevalent in other institutions within G4S, and I had raised concerns historically about those.

Q5 Chair: How widespread was this cultural problem? Are we talking about a small minority of staff or across the institution as a whole? What, in your experience, is the scale of it?

Rev. Nathan Ward: I would personally say that the vast majority of staff working in the institutions are good, honest people. However, they are caught up within a system and a culture where it is difficult to hold



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integrity to that extent. There was a group within Brook House residential staff team which was a concern. That infected, in one sense, the general atmosphere and culture of the place. But there was also a concern about the management culture that was established and developed in the later years that I was there.

Q6 **Chair:** That is the management culture within Brook House, as opposed to G4S as a whole?

Rev. Nathan Ward: Yes. I had raised concerns about other institutions and the management culture there, but also specifically in relation to Brook House.

Q7 **Chair:** Just to clarify, you raised these concerns during what period of time?

Rev. Nathan Ward: I raised concerns from 2001. In 2004 I went to Professor John Pitts, who wrote letters to Ministers in Parliament, raising concerns about staff culture and management culture—and that was before Gareth Myatt sadly died in Rainsbrook STC. Following that, I raised concerns with Kent police and was told to go away, because they did not really believe me. Then I wrote to MPs and met with MPs and met with the LADO at Medway, the local authority. I also met with the YJB monitors, so I have been systematically raising concerns at the highest levels, including ministerial level, since then.

Q8 **Chair:** Concerns about Brook House specifically?

Rev. Nathan Ward: Yes, Brook House specifically. I directly raised those concerns with Jerry Petherick, the managing director.

Q9 **Chair:** When was that, roughly?

Rev. Nathan Ward: That was when I resigned in 2014.

Q10 **Chair:** What happened about the concerns that you raised?

Rev. Nathan Ward: He said that he would take them seriously, and that was all I heard, because obviously I left the company. However, I did receive a postcard handwritten by Jerry on the last day of my formal employment at G4S, thanking me for my time and saying he would give me a reference at any point in the future.

Q11 **Chair:** What kind of system did G4S and Brook House have in place to deal with concerns from staff?

Rev. Nathan Ward: They had a whistleblowing policy in place and a whistleblowing helpline that staff could phone up. My personal experience of the whistleblowing system was that I first used it back in the early 2000s and was told by the gentleman on the other end of the phone, "I'm sorry. I can see it on my system but we haven't had the training yet. Can I take your name and phone number, and I'll call you back tomorrow?", which I declined. At Brook House in particular, I am aware that three whistleblowing allegations have been made about myself, and I have not formally been interviewed on any occasion in relation to those three, so I



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have no faith in the whistleblowing system. I have also raised concerns directly with the managing director and am aware of an email that has been sent raising concerns to Peter Neden, the chief executive of G4S for the UK and Ireland.

Q12 Chair: Are you aware of any occasions of the whistleblowing system working?

Rev. Nathan Ward: I am aware of some investigations that have taken place, but I do not know the detail.

Q13 Chair: How far do you think some of the concerns about staff members are to do with G4S making the wrong employment decisions and employing people who are not suitable for those sort of roles? How far is it lack of support or the lack of framework for managing those staff?

Rev. Nathan Ward: I think, ultimately, it is a lack of clear policy framework that G4S is trying to implement, as well as a lack of support for staff on the ground.

Q14 Chair: Mr Wilson, what has your experience or evidence been? Were you surprised by the footage you saw in "Panorama"?

James Wilson: I would agree with Nathan's description, in terms of being shocked and appalled but not fully surprised. Obviously, we are at a different stage from Nathan's position of having been employed within the centres. We go in regularly and support people, and we support people over the phone. The information we receive about incidents of abuse by staff tend to be from detainees mentioning things but then telling us they don't want things to go any further because they don't have faith in steps going forward, or detainees telling us about people they are sharing cells with, where things are happening but they don't feel able to raise them.

I would echo Nathan's description—certainly our impressions of frontline staff are that they are, in the main, people trying to do their best. Brook House feels to me a desperate place in lots of different ways, and ways that are primarily created by indefinite detention itself, as a concept and a system. People are increasingly in very cramped conditions. There have been 60 extra beds added to Brook House over the past year, and those extra beds are going into cells that already have two beds, mostly, so people are in ever more cramped conditions. We feel every day, on the phone and when meeting people in Brook House, a sense of desperation. Certainly when it comes to raising concerns, there is not a sense of people feeling empowered to do things to take things forward.

Q15 Stephen Doughty: I want to follow up on the issue of whistleblowing and complaints. James, you suggest a situation in which some of the detainees do not want to raise complaints. Nathan, you suggested that you have had counter-complaints made about you that have not been followed up. To what extent do you think there has been any organised intimidation or threats, of either staff or detainees, about making official complaints or pursuing them?



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Rev. Nathan Ward: In my experience, as far as detainees are concerned, their main concern about making complaints is that it might affect their immigration case, which might cause reluctance. At Tinsley House I was worried when no detainees made any complaints in a three-month period and I actively encouraged them to do so.

As far as staff are concerned, it is very hard for anyone to speak out against and step outside a dominant culture within an organisation. Actually, when staff are worried about their safety and have a fear of isolation and of being left alone, that enhances their fear. I am aware of cases where those who have been speaking out have been marginalised in the organisation.

James Wilson: I am not aware enough of internal dynamics to come to any conclusions.

- Q16 **Stephen Doughty:** No, but your experience of the detainees themselves is that they quite often do not want to proceed because they don't have the confidence.

James Wilson: Absolutely.

- Q17 **Stephen Doughty:** In terms of the training, I was watching the programme and was shocked and sickened, and there was clearly some absolutely deliberate activity that was totally unacceptable. To what extent do you think it is down to a lack of training about proper restraint mechanisms, or how to deal with a self-harmer or with a suicide attempt and so on? There seemed to be a mix of issues there. The choking incident was absolutely deliberate, but on the other hand is some of it to do with people not knowing how to handle people in vulnerable situations properly?

Rev. Nathan Ward: I think that the training that G4S provided when I was there was comprehensive. However, we know that for training to be effective it needs to be followed through into a culture that can sustain that training, and that is where we see the detachment at Brook House.

- Q18 **Stephen Doughty:** James, do you have any incidents or experience from speaking to detainees? Do they feel that quite often things go too far, in terms of how their colleagues are dealt with physically perhaps?

James Wilson: They allude to it, but in our experience I would come back to a reluctance to take anything forward.

Rev. Nathan Ward: With all due respect, when a member of the Home Office staff says to me, "It's all about who breaks first, whether the detainees or the Home Office, in relation to immigration cases", it is a culture set not just by G4S but, far wider, by the Home Office.

- Q19 **Stephen Doughty:** Sorry. A Home Office staff member said that to you?

Rev. Nathan Ward: A Home Office manager said to me, "It's all about who breaks first"—the exact phrase—"whether it is the detainee or the Home Office, when it comes to immigration cases."



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Q20 Stephen Doughty: Can you name that person? Have you named that person?

Rev. Nathan Ward: That was Debby Weston, who was the Home Office manager at Tinsley House when I was there.

Q21 Stuart C. McDonald: Why do you think it has taken the “Panorama” programme to draw attention to the feelings at Brook House and to force G4S to try and remedy the situation? What has happened to the oversight mechanisms that we are supposed to have in place, and what does that say about how effective they are?

Rev. Nathan Ward: I think the lack of response to date, since the “Panorama” programme, can give us some sight of the kind of issues at hand. It would seem to me that, in one sense, immigration is a highly politicised subject at the moment and we have lost sight of the human beings within the system.

James Wilson: It is an obvious point, but the very nature of detention—the fact of the mass routine use of indefinite immigration detention in the UK—is still a relatively hidden topic. Sadly, this is not the first time that there has been a similar scandal. For example, there were the revelations from Yarl’s Wood in 2015 about very similar things, with staff being abusive and disrespectful there. It feels like these things happen, are addressed or not at the time, and then drift off the public radar. I obviously hope that the very serious allegations in “Panorama” last week are investigated thoroughly and all appropriate steps taken, but I also hope that does not stop with looking at the individuals involved, or indeed at G4S, but looks at wider circumstances that lead to such horrible places existing.

Q22 Stuart C. McDonald: If I am right, there is a monitoring board and inspections by the prisons inspectorate. Does this reflect on how well those systems work, or will it always be the case that they cannot pick up on everything that is happening in detention centres?

Rev. Nathan Ward: When you look at it, you have the independent monitoring board, which is a group of individuals who are not necessarily trained or professionals looking at the system, so to rely on them to critique and safeguard the institution—I think they can do that to a certain extent, but not fully. As far as the inspectorate is concerned, HMIP is a very good and robust inspectorate, but it can only inspect what it sees on the day it turns up. We have Home Office staff on site that should be looking on a day-by-day basis at what is going on, and raising pertinent questions. However, we have already seen here today that the culture within that group itself most probably isn’t one that has sufficient curiosity. When I was there, a very high-up civil servant was telling us that we were under tremendous pressure to get people through the system and deport them in that year in particular, because it was that year’s statistics that would be reported just before the general election. That is how politicised the system is.

Q23 Stuart C. McDonald: How big is the Home Office presence?



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Rev. Nathan Ward: Off the top of my head, I'm unsure at this stage.

Q24 **Stuart C. McDonald:** Do they have full access to the detention centre?

Rev. Nathan Ward: They do have full access and, as we have heard in some of G4S's responses, even open-book accounting, but actually the question is whether they have the capacity to access it sufficiently, because they are also dealing with the administrative burden of the immigration within the centre.

Q25 **Stuart C. McDonald:** I don't know how much you know about the contractual set-up between the Home Office and G4S, but do you think it puts enough emphasis on detainee welfare, for example, over other considerations? Have you any idea whether penalties might be imposed on G4S because of some of the stuff that we saw on the programme last week?

Rev. Nathan Ward: I am fully versed in the contract that was in place at the time I was there. There are penalty clauses within it. However, I think that in one sense the relationship has become too close. The Home Office is reliant on G4S as an operator to actually undertake what it needs to do. That is part of the issue.

Q26 **Stuart C. McDonald:** Mr Wilson, do you have any further thoughts, on either the contractual arrangement or the role of the Home Office team?

James Wilson: I am not so familiar with the detail of the contract. I would agree that at local level the Home Office and G4S seem to work very closely. It is important not to lose sight of the fact that, whatever the contractual detail, the Home Office is ultimately responsible for the detention estate. It makes the decision to detain or not to detain, or to keep people detained. I don't know whether you are going to speak to Ministers, but again I hope there are questions to come for the Home Office.

Q27 **Stuart C. McDonald:** That is a very useful suggestion. My final question is about access to legal advice. Is there a problem? I think I read that only about a third of detainees have access to legal advice at the centre. Is that because of lack of awareness or problems with legal aid? What is the explanation?

James Wilson: There is a big problem. There is a weekly surgery, and two legal aid firms currently have the contracts to come into Brook and Tinsley and see people once a week. There are long waiting lists to see advisers. Sometimes people in detention have never seen a solicitor and might be removed from the country before getting any form of advice. You go on to have problems of very restricted advice anyway, with most of immigration being outside the legal aid scope, so someone may well in the end just see a representative for 30 minutes and then be told that for anything beyond this they would have to pay an amount of money, which in most cases is impossible.

Q28 **Stuart C. McDonald:** Who is responsible for having put that contract in place?

Rev. Nathan Ward: The Home Office. When we are talking about legal advice, we need to be very clear about who the detainees actually get to see on the ground. Is it a solicitor or a lawyer, or is it just someone working on their behalf?

- Q29 **Stuart C. McDonald:** So that is not something that G4S could remedy; that would have to come from the Home Office itself.

Rev. Nathan Ward: Yes.

- Q30 **Sarah Jones:** I am keen to investigate who you think is really to blame for what has been going on. We have talked about lack of training and the culture in G4S. In terms of the structure within the UK, the UK is the only country in Europe without a limit on detention. We have mentioned this already, but to what extent do you think that is to blame for what is going on? I'm talking about the indefinite detention and the length of time that people are spending in detention, creating a culture that is just desperate, as you describe it. How much is that part of the problem?

Rev. Nathan Ward: I think it is central. I don't think indefinite detention was the original intention of Parliament when it passed the legislation. Actually, it should only be used when removal from the UK is considered imminent. The word "imminent" has not been defined, so I would urge the Government to define that swiftly and bring in a 28-day cap. We can put that in the context of other countries. Ireland, for example, has a limit of 21 days, and France has an average stay in detention of 12.6 days, so 28 days is a fairly substantial amount of time.

I would further urge the Government to bring in judicial oversight. Nowhere else in this country can someone be put into what is to all intents and purposes a custodial institution without judicial oversight. We seem to have fallen into a philosophical and legal gap, where this practice has emerged.

James Wilson: That is absolutely the biggest issue—the lack of a time limit. The sense we get from detainees, speaking to people every day, is of desperation and uncertainty. The minority of detainees who have formerly been held in prison would compare it to prison, in that in prison you at least have a timescale; a point where you know that there is the possibility of parole, or something changing or the sentence ending. In detention you never have that; you are just adding days. There is that sense of the uncertainty and of no recourse—no point when this is going to stop. It is constant.

- Q31 **Sarah Jones:** In terms of the actual management of the centre itself, the programme talked about the induction wing, which was for new people, but actually there were drug dealers in there, and that was difficult; it talked about E wing, which was for vulnerable people, but they were not getting the services they needed; and it talked about staff numbers being at the very bare minimum, and having two people overseeing 100 people. So to what extent do you think just the management processes and the structures within the centre are responsible for what is going on?



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Rev. Nathan Ward: I would say obviously the senior management team is responsible, but ultimately the Minister is responsible for what is going on. That is why he has been democratically elected.

Q32 **Ms McVey:** I want to understand what the mix of the detainees is. Who have we got mixing together in the detention centre?

Rev. Nathan Ward: My understanding is that around half of those in Brook House are foreign national offenders, and the other half are not foreign national offenders; but all the FNOs have actually served their sentences, so in that sense they should be free.

Q33 **Ms McVey:** So we have offenders mixed with asylum seekers.

Rev. Nathan Ward: In principle, yes, but I would like to push back on describing them as offenders. We would not describe English people who have served their prison sentence as continuing offenders, if that makes sense.

Q34 **Ms McVey:** But we have a different mix of people, and I was wondering whether you think that creates tensions. Do they have different needs? How do they interact with one another? I would have thought that an asylum seeker escaping persecution was very different from a convicted criminal, and I am wondering how that works within the detention centre.

Rev. Nathan Ward: I think they have their own issues, but they also share the issues of those who have not offended, so they still have their own issues of asylum. For example, I have worked with people who have grown up in this country, who have not really known their home country, and who have committed an offence that gets the 12-month sentence and therefore ended up being automatically deported. They have still got all the same stuff going on as someone who has not offended. So it is a complex thing. I don't think it is binary, in that sense.

Q35 **Ms McVey:** Do you think that offenders should be mixing with asylum seekers, or do you think the actual mix or separation should be much stronger and set down in policy?

Rev. Nathan Ward: I think mixing them, on a very basic level, is just deeply inefficient. The Government know when someone is being sentenced to 12 months or more right at the start of their sentence, and if the Government's policy is to deport that person at the end of their sentence, they have 12 months to organise the deportation. Why are they paying for the prison sentence and then paying further money to house them in an immigration removal centre?

Q36 **Ms McVey:** I guess that is what I am trying to understand; the mix and the flow. Who is being held, why are they being held and, really, should they be mixing? Could that be part of the tensions? Could you give us the sort of cycle of who could be there? How does that work? You sort of alluded to it there.

Rev. Nathan Ward: It works by them, after serving their prison sentence, being moved into the immigration estate, where it seems the



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process would start while they mix with people who have overstayed their visas or are claiming asylum and such things.

- Q37 **Ms McVey:** I am just wondering whether that is adding into some of these incredibly poor practices on the ground. Is it the combination of people they are looking after and the tensions between the sets of people there?

Rev. Nathan Ward: Yes, that most certainly adds to it.

James Wilson: I would add that, in terms of the many useful things—grim viewing though it was—that the “Panorama” programme raised, for me, the distinction between people who had formerly been prisoners and people who had been in the asylum system was not the most helpful, because for us that does not seem to be a major source of problems. As Nathan mentioned, there are many other different types of immigration situations that may lead to people being in detention, but for me that distinction between groups is not particularly helpful. I would come back to the point that people who have been prisoners are just that—former prisoners. The fundamental thing, again, is the time limit. I think if you took any three of us from this room now to a cramped three-bed cell in a category B prison without a criminal charge, there would be issues and levels of desperation that came from that. I do not think categorising is the—

- Q38 **Ms McVey:** So you don’t think that someone fleeing persecution, who could be in a very raw emotional state, should not be mixing with someone who has been a convicted criminal? You wouldn’t think there were tensions there, where I would possibly say the state of mind is quite significantly different?

James Wilson: I think that people who are vulnerable for a wide variety of reasons, including those reasons you describe, shouldn’t be detained. That was one of the key findings of the Stephen Shaw review in 2016. That is the point I would start from.

- Q39 **Mr Chope:** Nathan, you asked the question, “Why are these people, if they have been sentenced to imprisonment for more than 12 months and they are liable for deportation upon release, not deported immediately at the time of release?” What is the answer to the question you have posed?

Rev. Nathan Ward: I would say that the Home Office need to get themselves organised and actually start doing the proceedings while those people are in prison. Or, at the point of the custodial sentence ending, they should release them like any other person and, if they are going to deport them, follow that system.

- Q40 **Mr Chope:** There is obviously a cost associated with keeping people in detention after their prison sentence expires. Why is it that the Home Office does not take the cost-effective option of dealing with deportations during the time that people are actually in prison?

Rev. Nathan Ward: I think that would be a question for the Minister, my friend.



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Q41 **Mr Chope:** Can I ask you about the throughput? On average, every day, how many people are leaving Brook House and how many people are arriving?

Rev. Nathan Ward: When I was there, the turnover each day was around 20 or 30, off the top of my head. But we know that we had about 28,000 people going through immigration removal centres in the last reported statistics from the Home Office.

Q42 **Mr Chope:** Taking the category of people who have come out of prison and are awaiting deportation, what would be the average time that they would stay in Brook House?

Rev. Nathan Ward: I don't know the answer to that question, my friend. Sorry.

Q43 **Mr Chope:** What would be the minimum or the maximum time, do you think?

Rev. Nathan Ward: Well, for the minimum, they could just be there for a day, but that is highly unlikely. For the maximum, we know that there have been people there for in excess of two years.

Q44 **Mr Chope:** For two years post release from prison?

Rev. Nathan Ward: That is my belief, yes.

Q45 **Mr Chope:** As far as the other group is concerned—the people who are not foreign national offenders—everyone mixes together, do they?

Rev. Nathan Ward: Yes.

Q46 **Mr Chope:** What nationalities are these people? Do they all speak English?

Rev. Nathan Ward: Some of them speak English. Some have to interpret for each other. Off the top of my head, I am unaware of the top nationalities that are being held in detention at the moment, but my friend James might be able to answer that question.

James Wilson: I don't have them to hand, but I can submit some details afterwards. I would echo Nathan's point about the reasons why people are not removed when there are no apparent barriers to that. Again, that would be a question for the Home Office, but it is worth emphasising how expensive the process is. It costs around £33,000 to keep someone in detention for a year. There are delays in situations. There are a wide variety of delays that seem to mean that people are detained, for whatever is going to happen to them next, for far longer than they need to be. We recently worked with somebody who was trying to return voluntarily—they had agreed to return voluntarily five or six months before leaving Brook House. That could not be arranged. In terms of what is humane, fair and reasonable to the taxpayer, the system is just not working.

Q47 **Mr Chope:** When people leave Brook House, do they invariably go under



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custody to the airport? That is really the idea behind having it so close to the airport. Is that what happens? Is that how most people leave, or are some people released?

Rev. Nathan Ward: Some people are released, and some are actually just left on the street by the side of Gatwick airport to fend for themselves.

Q48 **Mr Chope:** I see. For what reason might they be released?

Rev. Nathan Ward: Because the Home Office have decided, for whatever reason, to release them, and they are left by the side of the road.

Q49 **Mr Chope:** How common is that?

Rev. Nathan Ward: I know of two particular cases where they actually refused to leave the centre because they had nowhere to go.

Q50 **Mr Chope:** That was during the time you were there?

Rev. Nathan Ward: Yes. We had to call the police on both occasions to remove them from the centre. That is how broken the system is, my friend.

James Wilson: It is worth stressing, in terms of what you want or expect from the term “immigration removal centre”, that per the recent immigration figures, the majority of people—52%—are released to the UK in the end; it is actually a minority who are being removed from the country.

Q51 **Mr Chope:** Even for foreign national offenders?

James Wilson: That is across the totality of the detention estate. I don’t know the proportion for foreign national prisoners. That figure is across all the people being detained. It suggests a number of things, including the fact that detention is not being used just as a last resort.

Q52 **Mr Chope:** How many of these people are foreign nationals of other EU countries?

James Wilson: I don’t have a figure to hand, but I can try to find out for you. Anecdotally, the numbers for EU nationals have grown quite significantly in the last year or two. I can look into it.

Q53 **Chair:** Were those individuals who were just left by the side of the road supposed to have had some support in place that just wasn’t there, or was there just no policy to provide them with any kind of support?

Rev. Nathan Ward: I believe that there is no policy to provide them with that support.

Q54 **Naz Shah:** Mr Ward, in response to a question from the Chair, you talked about raising concerns at ministerial level. What actually happened in that incident? Which Minister was it?

Rev. Nathan Ward: It was the Minister responsible for juvenile justice back in 2004. I believe they asked that Kent police meet me as the



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whistleblower, which I did straightaway. Following that, we don't know what happened. I was told by the police officer, "I'm sorry, but I can't take your evidence, because it might be seen as stolen property. Thank you for your time."

After the "Panorama" investigation into Medway secure training centre, Kent police undertook an internal investigation. They came back to me and said that the police officer concerned back in 2004 would have been investigated, but had since left the force, and that there would therefore be no further action.

Q55 Naz Shah: My next question is to both of you. Has there been any detrimental impact on detainees and staff as a result of the Home Office decision to expand some cell capacity to three occupants? Are you aware of that?

Rev. Nathan Ward: I am aware of that. I am also aware that there are set international guidelines on cell occupancy and square metres per prisoner. I do not believe that the cells are large enough to meet those requirements. However, those requirements are not, to my knowledge, part of legislation.

James Wilson: Anecdotally, it has been a significant factor in the last years, as those beds have been added to already cramped environments. It is frequently reported as another source of stress and difficulty, often from people who are very vulnerable in any case and who we do not think should have been detained.

Rev. Nathan Ward: In the rooms in Brook House, the windows do not open, so now we are putting three grown men into a room that is supplied with air solely by a ventilation system. That is never going to be conducive to mental health or mere behaviour.

Q56 Naz Shah: Mr Ward, you left in 2014.

Rev. Nathan Ward: Yes.

Q57 Naz Shah: So for that 10 years when you blew the whistle to a Minister, how many more complaints were you a part of?

Rev. Nathan Ward: I have lost count. I have met MPs to raise concerns. I met the Bishop of Rochester at the time, who was also a member of the House of Lords, to raise concerns. I raised concerns with the LADO and the YJB, and in 2008 I ended up going to Eric Allison at *The Guardian* to raise concerns, which then led to the "Panorama" investigation into Medway secure training centre.

I think it is pertinent to note two things in relation to that. When "Panorama" investigated Medway, the Minister, Michael Gove, set up an independent board to investigate what was going on there. Their recommendation 19 stated: "The Improvement Plan should include G4S's analysis of what went wrong with organisational culture at Medway to enable staff to feel they could act as they did towards children and how they propose to address this." That recommendation was published on 12



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May 2016. My question would be whether they actually did that analysis, because the culture we see at Brook House is not too dissimilar to that of Medway STC. Ben Saunders was the director of Medway STC for the majority of the time that I was raising concerns and is also the director of Gatwick IRCs.

- Q58 **Stephen Doughty:** Another particularly shocking aspect of the programme was the extent of the drug use that there appeared to be within the facility. What are both of your experiences or understanding of the extent of that problem, and what is G4S doing about it? Where are the drugs coming from? A load of the detainees seemed to be on Spice, totally out of their heads on the floor. What on earth is going on?

Rev. Nathan Ward: Spice wasn't an issue when I was there in 2014. We know that it has since become an issue across the custodial estate in this country; it isn't just specific to Brook House, or in fact to the private sector. I am aware of an email sent to Peter Neden, the chief executive of G4S, raising concerns about specific members of staff dealing Spice to detainees.

- Q59 **Stephen Doughty:** In Brook House?

Rev. Nathan Ward: In Brook House.

- Q60 **Stephen Doughty:** What action was taken?

Rev. Nathan Ward: I don't know what action was taken.

- Q61 **Stephen Doughty:** When was that email sent?

Rev. Nathan Ward: In January this year.

- Q62 **Stephen Doughty:** In your experience, whether for Spice or any other drug, and apart from staff allegedly dealing, are people getting things through visits? How is the material getting into the centre?

Rev. Nathan Ward: I have a master's degree in security and risk management, so I speak with some knowledge. First, Brook House has drug netting over all of the courtyards, so throw-overs are very limited. The use of drones has also been cited in the media as a way of getting drugs into prison. We know that Brook House is on the side of Gatwick airport, so any drone use would be spotted straight away by the control tower, so it is not that.

That leaves three main routes: visits—all visitors should be searched—the postal system, all of which should be x-rayed; and staff. I would say that it is a mixture of those three, as they are the only three routes in.

- Q63 **Stephen Doughty:** So inadequate interception on visitors and post, and then possibly staff?

Rev. Nathan Ward: Yes.

- Q64 **Stephen Doughty:** In terms of conversations you have had with detainees, to what extent do issues around drug use come up as a problem?



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James Wilson: I don't think the word "rife" is too strong for the issue of Spice. People in detention are telling us about the amount of it around and about cellmates being on Spice and it being difficult to communicate with them. In many cases people have talked to us about having never been in any situation before where they would have been tempted to take drugs, but with the level of desperation being so great, and the availability of it being such, it is becoming hard to avoid. It seems to be a huge issue.

Q65 **Stephen Doughty:** In terms of violence related to the drug use, have you had reports of people attacking other detainees or acting violently or aggressively?

James Wilson: Very anecdotally about skirmishes.

Q66 **Stephen Doughty:** Nathan, did you see stuff when you were there?

Rev. Nathan Ward: The level of violence towards staff needs to be held in context, because that is partly the issue as well. I have had a discussion with Callum, the undercover journalist for "Panorama", who said that staff are constantly under threat. When I challenged him on that and said, "How many times have you actually been personally threatened in the two years that you have worked there?", he said about four or six times, so that is actually about once every six months, isn't it?

Q67 **Stephen Doughty:** And between detainees?

Rev. Nathan Ward: For detainees on detainees, there were threats made and violence when I was there. I am aware of that, yes.

Q68 **Chair:** Can I ask you about the contracting and profit situation? There were reports last night and in this morning's papers of G4S making around 20% profit on Brook House and 27% on Tinsley. Does that sound plausible to you?

Rev. Nathan Ward: Absolutely, and also Cedars. When I was there, I was aware that the pre-departure accommodation was running on the same levels of profit as well. Put in the context that the Shaw review recommended that the Cedars pre-departure accommodation was closed because it was uneconomical, the question should be asked: if G4S had not been taking so much profit out of it, would it have been economical? Would we still have one of the best custodial institutions in the country?

Q69 **Chair:** Does the 20% or 27%—that sort of scale—include overheads, or is that before G4S overheads?

Rev. Nathan Ward: My understanding of the contract is that initially G4S would have tendered for the contract, and that tendering process would outline all of the financial costs involved. Schedule F of the contract is the schedule that outlines the costs at the beginning of the contract, and within that are overhead costs. Then, after that total what I think is called profit contribution is applied, and then after that VAT is applied. So overhead costs are already calculated within the contract. There may be some overhead costs that are not, but the vast majority of them, in my



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understanding, are built into the costs that were presented at the trading reviews.

Q70 **Chair:** So you would expect that 20% figure to be after all of the relevant overheads and also to fit with your experience of the level of profits being made at Brook House over that period.

Rev. Nathan Ward: Yes, and I think the email that I saw, which was sent to Peter Neden, actually went above 20%

Q71 **Chair:** What did it go to?

Q72 **Rev. Nathan Ward:** Off the top of my head, I think 30%. I have certainly seen presentations with 30% profit margins put on them. **Chair:** There was also an email reported in *The Guardian* today from a manager at G4S that refers to inaccurate information being given to the Home Office about the contract. It says: "At this point, I was questioning the staff we had formally asked the Home Office for as I knew we had only requested 60 to run Tinsley, yet we were asking for money for 80 staff." Does that sound plausible or fit with your experience?

Rev. Nathan Ward: Absolutely. I had an email from the accountant when Cedars' pre-departure accommodation was set up with an Excel spreadsheet detailing all of the assets that they were charging the Home Office for and asking me to highlight the ones I knew we would never be buying, on the premise that the Home Office only asked for invoices over the sum total of £5,000, so anything under that would not be scrutinised.

Q73 **Chair:** Explain that again.

Rev. Nathan Ward: I received an email from the accountant with the asset list for Cedars' pre-departure accommodation, asking me to highlight the items that were being charged to the Home Office but which we would never actually buy in the end. I am also aware of inaccurate staffing reported to the Home Office, and that is part of the concern that I raised to Jerry Petherick on my resignation, and other financial matters like that.

Q74 **Chair:** So you think it is plausible that G4S, or people working at G4S, have deliberately been giving false information to the Home Office.

Rev. Nathan Ward: Categorically, yes.

Chair: Thank you very much.

Rev. Nathan Ward: And, just to say, at the point of leaving both Medway STC and Brook House IRC, I took a carbon copy of my hard drive with all of the information on the senior management team—all of their spreadsheets and PowerPoint presentations. I gave a copy to Kent police and to the Ministry of Justice. My solicitor has the only other copy, the third copy, in a safe in London.

Q75 **Chair:** What action are you aware of that has been taken in pursuit of any of that?



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Rev. Nathan Ward: Kent police have made me aware that last year, when I raised all these concerns with them, they passed it on to Sussex police, because it was happening in that force area.

Q76 **Chair:** And has it been passed on to the Home Office as well—to the Home Office contract management?

Rev. Nathan Ward: I am not aware of that.

Q77 **Chair:** In terms of the source of these additional profits, would it be accurate to say that, from your experience, this includes things being claimed for that were then not actually provided? The G4S and Home Office response says that there were savings on the contract and efficiency measures introduced over the life of the contract that reduced charges to the Home Office as a result. Would that include reductions in staffing or training?

Rev. Nathan Ward: A good, easy example would be that part of the contract was that G4S would employ a hairdresser to cut detainees' hair. A cost saving was put to them because they could not actually recruit a hairdresser, saying, "We will get rid of that post as a cost saving and buy hair clippers from Argos and detainees can cut their own hair." That is the type of cost saving offered up.

I am aware that in the email sent to Mr Neden, they sent the wrong spreadsheet that declared the actual profits to the Home Office back in 2016, and the Home Office demanded cost savings. I believe that they were offered £120,000 in return for a 12-month extension on the contract, instead of what I think would be fit and proper to do, which is to send the auditors in at the point when you discover that they are making more profit.

I am aware that staff vacancies are held, for example, and I am aware that at one point there were 18 vacancies. Each vacancy was at £26,000, so you can see how profit is made quite quickly. Also, the contract is uplifted each year, rightly so, in relation to RPI. However, the costs of running the centre are not necessarily in line with that. The cost of rice, for example, does not go up 4%.

However, schedule S of the contract explicitly compels the contractor to look for cost savings and report them immediately to the Home Office. Therefore, if profit has gone above the original contracted price, they should be declaring that not as extra profit, but as a cost saving to the authority. Numbers can always change, but the percentage should always remain the same.

Q78 **Naz Shah:** I am used to hearing a lot of stuff in this Committee, but today's session would be shocking by anyone's standards. For 10 years you have gone to the police—to two different police forces—to Ministers, to the House of Lords and to MPs. You have whistle-blown for 10 years on the systematic abuse of power and on the fraud. You have been suggesting that that has been happening and has been allowed to continue under this programme. That is in addition to the Medway



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"Panorama" programme, and it still was not addressed. Is that what you are saying?

Rev. Nathan Ward: Yes, and since then I have had my car tyres slashed four times. I have had four anonymous letters. In the last week, I have had 12 anonymous phone calls.

Naz Shah: Wow. I am so sorry.

Q79 **Stephen Doughty:** What action have the police taken about any of that?

Rev. Nathan Ward: There has been no further action on the car tyres or the anonymous letters or the phone calls.

Q80 **Stephen Doughty:** And you reported that to—

Rev. Nathan Ward: Kent police.

Q81 **Stephen Doughty:** On what date did you report these incidents?

Rev. Nathan Ward: As and when they happened.

Stephen Doughty: But over the past few months, basically.

Rev. Nathan Ward: Yes. I must say on the record that Kent police have been tremendously supportive. I am deeply grateful to them, and I thank them for the job they do in tough circumstances, but that just sets the context.

Last week, I was phoned up by G4S asking me to participate in their investigation. That was Peter Small, who I believe is the director at Rye Hill prison. He asked me to share the document that was seen on television in relation to the notes I took to Jerry Petherick. I shared that with him, but one of my points to him was, "I raised concerns with your line manager. Are you telling me that you are investigating your own line manager?" One of the questions is: why is it that the Home Office are allowing G4S in one sense to mark their own homework and do their own investigation? Who is doing an independent investigation into this? This is a humanitarian crisis in what is supposed to be a civilised country. It demands a response from Government. It is a shame that the Minister has not spoken to Parliament in relation to this to date. It is a shame that no statement has been made on the Home Office website. It is a shame that my friend's early-day motion has been signed by only 15 people to date—none from the Conservative party and only one from Labour. To be fair, it is a disgrace.

Q82 **Chair:** Are there any further questions that you think need to be raised with G4S?

Rev. Nathan Ward: Who is looking after the 500 or so people, today, at Brook House? What we know is that the people tasked to safeguard them have systematically failed, so who new is being put in place to ensure that this is not happening today? Who is looking after the children at Oakhill STC, who are still being looked after by the same people that I raised concerns about at Rainsbrook STC and Medway STC? Why is it that the



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Government have not instigated the independent board for STCs, after Medway? They haven't got it organised.

Q83 **Chair:** In terms of questions for the Government and the Home Office, what would you say they are?

Rev. Nathan Ward: To be honest, the only way I can describe it is that it seems that there is an awful lot of collusion between G4S and the Home Office in relation to this matter. Who is holding them to account?

Q84 **Chair:** Finally, would you be able to provide as much as possible of the information that you talked about to the Committee?

Rev. Nathan Ward: Yes. I am more than happy to do that. I can ask my solicitor to pass that on to you.

Q85 **Chair:** That would be immensely helpful. Mr Wilson, do you have anything to add?

James Wilson: In terms of questions for the Government and the Home Office, I come back to the point that I hope that the incidents are investigated very thoroughly and that that is taken as far as possible, and that this Committee, Parliament and the Stephen Shaw review, which has now begun, don't lose sight of the fact that it is ultimately the Home Office that is responsible for the detention and for the safety of people in detention during that time. In the last two years, following the previous Shaw report and the APPG findings on 2015, there have been Government commitments to reform detention seriously, and they have not happened at all.

Rev. Nathan Ward: The only point that I would like to make is that this is not about me or anything apart from vulnerable people held in detention centres. I would urge the Government to bring an end to indefinite detention, capping it at 28 days. I would urge the Government for judicial oversight after 72 hours and to adopt an immigration policy that has a de-emphasis on detention, simply because it is costly and ineffective.

Chair: Mr Wilson and Mr Ward, thank you very much for your evidence, which has been immensely helpful. We would be grateful for any further evidence that you are able to provide. We will continue to pursue this, in the next evidence session and beyond.

Mr Ward, can I also say that I am very sorry that you have experienced personal threats and attacks as a result of speaking out? The fact that you have continued to do so and have spoken to the Committee is very much appreciated. If there is any further abuse or incidents following this Committee and they are not taken immensely seriously by the police, we as a Committee would be extremely concerned and would appreciate knowing if that happens.

Rev. Nathan Ward: Thank you.

Examination of witnesses

Witnesses: Peter Neden and Jerry Petherick.

Q86 Chair: We begin our second panel session. Mr Neden and Mr Petherick, welcome to the panel. Could you briefly tell us your roles within G4S?

Peter Neden: Yes, certainly. I am Peter Neden. I lead G4S's business for the UK and Ireland. That includes all our work with businesses and all our work with Government. We employ about 35,000 people in the UK, and the split between Government and our commercial business is that around 11,000 of those people are deployed on Government, and the remainder are employed on our commercial business.

Jerry Petherick: Good morning. I am Jerry Petherick. I am responsible for our custodial and detention services business, which covers five prison establishments, one secure training centre, obviously the immigration removal centres and the community contracts that we operate either directly or in a consortium in south Wales.

Q87 Chair: Thank you very much. We are obviously conducting this hearing as a result of the "Panorama" programme. Let me ask you first about some of the abuse and mistreatment that was shown on the screen. There was abuse, mistreatment and bullying; a restraint expert using and encouraging very racist abuse; threats and reports of violence and aggression towards detainees, with one member of staff saying, "Hit him with the edge anywhere between the knee and the throat," another saying, "If he dies, he dies," and another saying, "I'm going to put you to fucking sleep"; and a failure to properly handle serious mental health problems, to document restraint and to intervene to stop drugs circulating. Would you have been aware of any of those things or taken any action on them, had there not been a "Panorama" programme?

Peter Neden: I was ashamed of what I saw and am very sorry for what we saw. I can assure you that if we were in any way aware of any of that behaviour, we would have taken action. Of course, since the "Panorama" programme, we have taken action. We immediately suspended 10 members of staff and have now dismissed three of them, and there are ongoing investigations into the conduct of the other people involved. We have informed the police and provided all the evidence we can to assist them with their inquiries, and we are also undertaking an immediate action plan to make sure that this cannot happen again. We take these events very seriously indeed. There is no place for behaviour like that in our business.

Q88 Chair: Well, it did happen, and you weren't aware of it and clearly had no systems in place to ensure that, if anything like any of those incidents happen, they are reported and that senior management is aware of it, to prevent it from happening. You clearly have a system failure to allow those things to happen in the first place.



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Jerry Petherick: As Peter says, we were both absolutely ashamed and disappointed, because it does not reflect the behaviour of the vast majority of our staff, either at Brook House or elsewhere, who do a very good job in very trying conditions. We need to remember and acknowledge that. Obviously, we are looking at the systems because I expect such uses of force to be examined on a regular basis by committee. I believe that had that happened, some of these cases would have been identified and dealt with.

Q89 **Chair:** Had what happened you would have identified the cases?

Jerry Petherick: Well, the examples that you quoted and were shown on "Panorama", the most appalling one of which was the incident in the room where a member of staff—a former member of staff—used inappropriate restraint techniques. He is obviously not taught about those, because all the staff actually go through fully recognised, fully certified training on control and restraints, and they are renewed in that training every 12 months.

Peter Neden: If I may just provide some context here, we do not operate the centre in a vacuum. There are Home Office representatives present every day, we are inspected by HMIP—the most recent being November '16, when the centre received a rating of "good", which is the third highest—and we operate under the scrutiny of the IMB, which visits every day. That said, it is absolutely true that, with all those safeguards and, indeed, our own whistleblowing facility, the whistleblowing facility was not used in these cases. The system does work. It has been active over the last two years, since I have been in this role, but on this occasion it was not used. I am as upset as anybody about that, which is why in addition to the immediate actions that we are taking to ensure that this cannot happen again, we also intend to commission an independent review to understand the root causes.

Q90 **Chair:** How do you know that the system works if it clearly didn't in this particularly disturbing case, but also in terms of the wider apparent culture among a group of staff?

Peter Neden: I know that it did not work in this instance because these particular incidents were not reported through our whistleblowing line, but the system is active and operating. We have a group-wide programme and facility for whistleblowing that reports cases. I get a regular stream of them. I actually see that as a sign of a healthy business, where people are prepared to speak out. For every one of those cases we allocate a proper investigator—it might be a lawyer or it might be a senior manager, but always from outside the operation—and each of those cases is reviewed thoroughly and we take appropriate action depending on what we find. That system is working, but it was not used in this case and that is one of the things that we really need to get to the bottom of.

Q91 **Chair:** How many reports a month do you have on your whistleblowing system?



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Peter Neden: In the last two years, I have received around 100 through our whistleblowing system.

Chair: One hundred over a period of two years.

Peter Neden: Over the period of two years, I have received, through our system, around 100 cases, but that is across a business that employs 35,000 people.

Q92 **Chair:** How many from Brook House?

Peter Neden: There have been 11 matters in relation to Brook House, and all of them have been in relation to staff behaviour or employee behaviour. None of them have been in relation to detainee behaviour.

Q93 **Chair:** So, 11 over the last two years at Brook House in relation to staff behaviour?

Peter Neden: Yes. Staff-to-staff behaviour.

Q94 **Chair:** Staff-to-staff, not staff-to-detainees?

Peter Neden: No.

Q95 **Chair:** So you have had no whistleblowing in the past two years on behaviour by staff towards detainees?

Peter Neden: Not that I can see in our records, no.

Q96 **Chair:** So, "Panorama" produces footage showing not just violent abuse but verbal abuse, repeated examples of contemptuous attitudes towards detainees who they should be protecting and keeping safe, a series of failures to implement proper procedures on mental health and safeguarding and serious incidents that took place. Yet you say that you had no complaints through the whistleblowing process by a member of staff about another member of staff at all, and you think your whistleblowing procedure is working. Do you want to reconsider that answer?

Peter Neden: No. I am saying the system is operating but it did not bring to light the instances raised in "Panorama".

Q97 **Chair:** Is there is a difference between saying a system is operational and saying that it is working?

Peter Neden: Well, the system is active and we receive matters of concern being raised to us, but it did not bring to light these particular matters.

Q98 **Chair:** But it does not seem to have brought to light any matters about the treatment of detainees by staff.

Jerry Petherick: Can I just say that this is an area that obviously concerns us? We will be looking at it and re-energising it. It will be for the independent review also to look at that. We should also remember that detainees have other avenues of complaint. I want the whistleblowing line



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to work because that is when I will be at my happiest, but detainees can also complain direct to Home Office officials, who will instigate a number of investigations.

The independent monitoring board is an experienced group of lay people. Intriguingly, one of the IMB members at Brook House is a retired former prison governor, so is very experienced in this way and, I have no doubt, very well attuned to looking into issues such as this. When I visit, I walk around and talk to detainees. I fully accept that this has not been raised with me. I need to look at that in itself and to have mechanisms by which I can have wider discussions with detainees.

Q99 Chair: But we just heard evidence from Nathan Ward who said he had reported and raised concerns repeatedly, including about staff culture and the way in which staff behaved towards detainees, and including raising this personally with you, Mr Petherick, in 2014. Did that just not happen?

Jerry Petherick: No. I met with Nathan Ward in 2014. What was not said this morning and has not been said in the media is that I was not on my own. I had a professional human resources manager with me. That meeting will be part of the investigation into his claims and that is ongoing.

Q100 Chair: It is 2017.

Jerry Petherick: I have searched my files and my memory and I have to say that he did not raise any specific complaints about individuals at that meeting. There may well have been general conversation about ethos and so forth. In the aftermath, I have looked at what emails I might have received from him, and I did receive one that was entirely about the terms and conditions of his departure.

Chair: You have said that you are appalled, shocked and that this is all unacceptable and that you are now doing various reviews. That is remarkably similar to what G4S said in response to the footage that came out about Medway a few years ago, in which Paul Cook, the MD of G4S children's services, said: "We are appalled by the behaviour of certain members of staff at Medway...I would like to apologise personally...The wellbeing, safety and care of the young people...is our primary objective and we are shocked any member of staff would behave in this way...There is no place for the conduct shown in the programme...it will not be tolerated. We take any allegations...extremely seriously." And so on, and so on. There were then various inspections and follow-ups that took place. How can you still be saying the same thing as you said so many years ago and still not have done anything to address it?

Jerry Petherick: I don't accept that we haven't done anything. We have worked very hard at addressing this kind of behaviour, making it very clear that it is unacceptable. Where we see it, and when we can prove it through investigation and so forth, we deal robustly with it. We are reliant on people on occasion telling us about that and it is our responsibility to investigate that, and I believe we have done so.

There may be the occasional lapse that should not happen but we are all human beings. We need to put in systems to prevent anything like that, and I believe we are doing that. I believe we take robust and determined action. I have worked in this vocation for 35 years, in a range of facilities. I know my personal standards, and I know what I take forward and deal with. I will not tolerate any behaviours such as this.

Q101 Chair: But the challenge for you is whether you have any kind of system in place that would allow you to be made aware of these kinds of thing happening.

Jerry Petherick: We have systems in place. We need to check why it didn't happen in this case; I fully accept that. That is on my shoulders, and no one else's.

Q102 Chair: It didn't just happen in one case, though; it happened in a whole series of cases. None of the incidents of abuse, inappropriate language or inappropriate response to mental health circumstances documented in the "Panorama" programme appear to have come through your whistleblowing system at all.

Jerry Petherick: Can I please address the issue about mental health, looking after detainees at risk of self-harm and so forth? It is a matter of real concern and interest for us. On reception at Brook House, every detainee is seen and evaluated. When there is an immediate need for mental health intervention, an immediate referral will be made to the appropriate medical facilities, either within 24 hours in extreme cases or within 72. There is ongoing care for the individual. We train people in that. There is an ongoing system of looking after people who are at particular risk of harming themselves.

That is the same system as in every other immigration removal centre, or indeed prison establishment. It is very effective. Where I have a concern about an individual—another member of staff, a detainee—we will put in a supported living plan where necessary, which Stephen Shaw commended. Our interventions range from periodic interaction with the detainee right up to 24-hour-a-day, one-on-one supervision and observation of that detainee. It is a really important aspect of our work.

The chief inspector, on the last inspection, as ever, conducted a survey of detainees looking at a number of dimensions. In that report, Peter Clarke states that 41% of those detainees surveyed expressed, on arrival at Brook House, concern about their depression or indeed thoughts of self-harm or suicide. That is vitally important to us, and I absolutely expect us to take every possible care of those individuals. Mental health is a vitally important area of our work.

Chair: So when you—

Peter Neden: Forgive me—I was just going to observe that of course we are not operating in a static system. In the area of drugs, for instance, as we get good at closing down one route by which drugs come into our



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facility, another route will be opened up. Things are constantly evolving, and we need constantly to stay ahead.

Q103 **Chair:** We will want to come back to the drugs issue. On the mental health issue, is it your contention, Mr Petherick, that the incidents of mental health cases shown in the "Panorama" programme were handled appropriately? Were they a minority, or a more extensive problem that you need to address?

Jerry Petherick: Let me be very clear: I do not contend at all that any of the actions we saw on "Panorama" were acceptable in any way, shape or form. That is absolutely clear. I always want to do more on the issue of mental health and self-harm. As a company, we do. A year ago, Peter instituted a committee to look at such issues. We meet regularly, and we the operators are challenged on it, because the company's expectation is that we continually do better. That is absolutely the right expectation. I will never sit here and say we are doing everything we can, because there will always be something else. Any custodial professional manager who sat here and said anything other than that would not be believable, because that is in our DNA. That is what we believe. We are here to look after and care for people, because we are all human beings, at the end of the day.

Q104 **Chair:** In that footage, we saw a series of individual staff members—not just one, but a series of staff members—who clearly exhibited very contemptuous and hostile attitudes towards detainees. Why was that not picked up by line managers?

Jerry Petherick: I've asked myself that ever since the programme, because that is my expectation, and ultimately I am accountable for this business, so ultimately I have failed in driving in those expected behaviours. I cannot give you the entire answer, because some of that is down to the investigations that we have commissioned, but I think it's a very fair question and it is one that I examine myself on.

Q105 **Stephen Doughty:** The Chair has already covered the information about the complaints that were made to you, Mr Petherick. Mr Neden, you mentioned drugs a moment ago. We've been told that you were personally told in January this year of allegations regarding staff dealing drugs, including Spice, to detainees. Did you receive such a complaint and what is your assessment—what action have you taken?

Peter Neden: I don't recall the specific incident. As I say, I receive a number of—

Stephen Doughty: No, no—have you received a complaint about staff dealing drugs?

Peter Neden: I don't recall that particular incident—

Q106 **Stephen Doughty:** Have you checked your records?

Peter Neden: You're only just telling me. As you can imagine, I receive a number of areas of concern, occasionally directly or more likely through



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the whistleblowing facility that we have, and in every case we allocate an investigator to look into those claims and take appropriate action.

Q107 Stephen Doughty: So have you ever received allegations about staff dealing drugs at the centre?

Peter Neden: I do not recall ever receiving—and I am not trying to obfuscate. I really do not recall—

Q108 Stephen Doughty: Have you, Mr Petherick?

Peter Neden: But I do know that occasionally some of our staff do indeed enter into inappropriate relationships and start to bring contraband into our centres—

Q109 Stephen Doughty: How many staff have been suspended for those reasons?

Jerry Petherick: We have ongoing operations at the moment, and this is an issue—drugs, and Spice in particular over the past 36 months—that's become a real problem, as we're all aware, in all custodial detention settings. It's something that concerns us and we obviously look at how these things are coming into any centre.

Let's look specifically at Brook House, because some of the ways that drugs come in to other custodial establishments don't apply at Brook House, and that's primarily the method of throwing drugs over the perimeter fence, because there is heightened security against drones and so forth because of the physical location. Drugs come into these establishments in a number of ways: through visits, and we've had success in intercepting that; and internally, in detainees themselves, as they come into the centre. It's a well-known fact that detainees and other people in custody and detention will actually act as mules to import drugs. They will secrete drugs internally, in body passages that we have absolutely no right or ability to search.

Q110 Stephen Doughty: Can I just come back to your staff specifically, though? How many investigations have there been? How many staff have been suspended?

Jerry Petherick: The answer to the question is "nil". There are ongoing operations that, for very obvious reasons, I don't want to go into. It's something that we're very well aware of—the risk—because the risk and the reward—

Q111 Stephen Doughty: When were you first told about staff allegedly dealing drugs?

Jerry Petherick: Oh, many years ago, because—

Q112 Stephen Doughty: But nobody's been suspended or—?

Jerry Petherick: Well, no, in terms of the possibility of staff dealing drugs—many years ago, across the estate, because that's one of the ways in which drugs come in. In terms of Brook House, as I say, there are

ongoing operations that it would be inappropriate for me to give any details of in a public arena.

Peter Neden: But we have—I think I’m right in saying—dismissed staff on previous occasions where it’s been proved that they’ve been bringing drugs into a centre.

Q113 **Stephen Doughty:** But you can’t tell us? You haven’t got a number? You can’t tell us—I mean, you said you’d known for “many years”, but you say there have been zero suspensions or investigations—

Jerry Petherick: We are very happy to write to the Committee with the details of who has been suspended or dismissed as a result of drug-trafficking into our facilities.

Q114 **Stephen Doughty:** I want to ask about whistleblowing and the consequences for the whistleblowers. I have been shocked by some of the evidence that we have heard. We are aware from evidence from the previous panel and from stuff that I have seen that the whistleblowers about Brook House have been intimidated since the allegations have come to light. We have heard allegations about tyres being slashed, threats on social media and threats to them personally, and I know that the latter are being investigated by the police. When I commented on social media about the programme, individuals responded by making allegations about the individuals making the allegations in the programme. Do people feel safe or able to make allegations because of that behaviour? Is that a problem?

Jerry Petherick: I need to make it absolutely clear that this is the first I have heard about those allegations, because I am not aware of any tyres being slashed or anything like that. I really don’t know that, and I have to make it clear that this is the first that I have heard about that. Let me also be very clear about my expectations. Anybody using the whistleblowing line has protections, and I expect those to be absolute. Where they are not, they need to be referred to the appropriate authorities. I would certainly do that and encourage other people to do that. This is one of our safeguards and I will protect that safeguard in every way that I can. Before this morning, I had not heard any of those allegations.

Peter Neden: If I could provide a bit of context on the whistleblowing facility, it is run by an organisation external to G4S. Any allegations raised are investigated by someone from outside the operation, often a lawyer, although not always a lawyer, and then I review the cases to make sure that we have done the right thing. In addition, each year we provide a report to a sub-committee of our main board and the overall functioning of the whistleblowing facility across the group is reviewed by that committee and it forms part of our annual report. There is absolutely no place for—

Q115 **Stephen Doughty:** One last question. When I asked you about whether you had received the email on drugs, Jerry, you said that you get lots of emails, and that you cannot recall a specific one. Why is the correspondence coming in to your accounts directly, Peter and Jerry, not



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being sifted appropriately for whistleblowing that may be sent directly to you or to internal complaints?

Peter Neden: If I receive something that I consider to be a whistleblowing complaint, I will refer it.

Q116 **Stephen Doughty:** So it is about your judgment.

Peter Neden: As you would imagine, I receive a very large amount of correspondence, and where I consider that someone is raising something that is rightly a whistleblowing complaint, I will refer it to our legal counsel to be taken through the normal process.

Q117 **Stuart C. McDonald:** As far as we know, the behaviour we saw on the “Panorama” programme could have been going on for years, and as far as I can tell from the programme—perhaps you can comment—the staff involved were not new recruits but had all been there for several years. Should we have questions about whether the oversight mechanisms in place are failing us?

Peter Neden: I think we absolutely should be questioning our own management and the oversight mechanisms in place: the role of the HMIP, the Home Office and the role of the IMB. We are taking immediate action because we need to make sure that such behaviour cannot happen today, but, as you say, this is a long-term challenge. These are demanding places in which to operate; they are distressing for the detainees and demanding for the staff who operate there. That is why we wish to commission an independent review to understand the root causes and what we do to make sure that it can never happen again.

Jerry Petherick: Additionally, we are looking at how we deploy staff, and the team structure in which we do so. We must get a balance between people being confident with the people they are working with, and not being complacent about or complying with behaviour and so on. We are looking at how we can rotate staff, and indeed managers, to minimise the risk, while maintaining some of the necessary confidences and balances of staff who operate in these environments.

Q118 **Stuart C. McDonald:** But am I right in thinking that the staff involved in many of the instances highlighted have been there for several years?

Jerry Petherick: Yes, they have. One of the other things that we are already acting on is to place an order to increase the number of body-worn video sets that will be issued to staff, because our increasing experience is that the wearing of such sets is actually a major safeguard for the individuals. It actually enhances the security and control in the centres, so we are looking both at the human bits of staff teams and deployments and at where we can bring technology in to utilise it better as a safeguard for everyone.

Q119 **Stuart C. McDonald:** Do you accept then that the concern is that, for example, had “Panorama” done what it did recently two years ago, it might well have found the same thing? Despite the fact that your mechanisms have not been picking up whistleblowing or complaints or



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otherwise, this could have been ongoing for two, three, five or six years, or a decade, for all we know.

Q120 **Jerry Petherick:** It would be a speculation for me, and this is not the place to speculate in that way. I come back to a number of things: the experience of the IMB and the experience of the inspectorate. We should remember that the inspectorate is largely staffed by very experienced operational managers who do not just walk round and take things at face value; they dig. It is quite right that they dig and they follow the trail. I absolutely support them and value them in following the trail. I know how well they follow the trail. There are a number of mechanisms that we have that we place some reliance on, but ultimately it is an issue about the reliance I have on myself and my management structure to detect this kind of behaviour.

Q121 **Stuart C. McDonald:** Mr Neden, you referred earlier in your evidence to the presence of the Home Office on site. What is it that the Home Office is doing? What are the roles? How big is its presence there?

Peter Neden: Jerry can take that one.

Jerry Petherick: It is an extensive presence that certainly we encourage. When I visit it is usually the case that the Home Office monitor is in the morning operational meeting, which happens at every establishment. Events are discussed and cases and other operational things are discussed. It is an entirely open session. Incidents from the day before are discussed. Concerns about individual detainees or an upcoming chartered flight are discussed. So they are there. Their prime role is casework and helping us to deliver the role of the centre, which is to move people through the centre, either on admittance to the country or out of the country. This is a very busy centre. In the 12 months up to 30 August there were over 14,000 movements through Brook House, so the throughput is large. It is therefore important that we have a close but challenging relationship with the Home Office. In the same way as the IMBs talk about being the critical friend, we need the Home Office to challenge us, which they do.

Q122 **Stuart C. McDonald:** I'm sure they do challenge, but the question then becomes how much do they challenge you on standards of welfare, for example. On the contract that you have with them, what emphasis does that place on standards of detainee welfare? Have any penalties ever been imposed on G4S because of failings with regard to detainee welfare, for example?

Jerry Petherick: Yes, there have.

Q123 **Stuart C. McDonald:** Would you be able to provide us with details?

Jerry Petherick: Certainly. It is important that there is that challenging contract management. That is what it is about, but ultimately it is about our facilitating the movement of the detainee appropriately and carefully, either into the country or out of the country.

Q124 **Stuart C. McDonald:** Can I ask you a little more about the contract? In



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your written evidence you suggested that the revenue that G4S obtained from Brook House was £11.2 million in 2016. Generally speaking, it varies from quarter to quarter. It costs about £35,000, or maybe £30,000, every year to detain one detainee. Based on almost full occupancy, that would mean a cost to you guys of about £14.7 million, so a loss of £2 million or £3 million, and yet today all the newspapers are reporting a profit of 20%, of several million pounds. How does that all add up?

Peter Neden: Last year we charged the Home Office £11.2 million for the running of Brook House. I am not sure what is in the papers. In terms of what the papers have reported on profit margins, they are simply wrong. They have not shared with us the information that they are looking at, but they are simply wrong. Our profit levels are lower than that. The Home Office have a complete breakdown of the charges that we make to them and the profits that we made going back over the last seven years. Where we have made savings, we have reduced charges to the Home Office for the last five years.

Q125 **Stuart C. McDonald:** Are you making a profit? Does that cover your costs for Brook House?

Peter Neden: We are making a profit on these contracts, but we are not making the profit that is reported in the media.

Q126 **Stuart C. McDonald:** How much does it cost you, on average, to detain someone at Brook House for a year? If you are making a profit on £11.2 million, it must be well below the average cost that the Home Office publishes every quarter.

Peter Neden: I don't know. We would have to look at that. I don't have those figures.

Q127 **Stuart C. McDonald:** If you could look at that and break it down for us—as I say, it is generally about £85 to £92 per night, per detainee. On the basis of some of the numbers you have provided, that would mean you are making a loss of millions of pounds. It would be good if you could break that down.

Peter Neden: The centre, of course, does not run at full occupancy.

Q128 **Stuart C. McDonald:** Sure. That was based on 435 places being taken up, which I think was the figure for June this year. Earlier we heard evidence about some of the ways that you make efficiency savings. For example, there was a suggestion that staff vacancies are kept open for longer than would be ideal, simply to save money on wages. There was an allegation that rather than pay for a hairdresser, clippers will be purchased, but you still charge the Home Office for that service. There was even a suggestion that claims are made for items that cost less than £5,000 because essentially the Home Office does not ask for evidence of that. What are your comments on those suggestions?

Peter Neden: I simply don't recognise any of that.

Q129 Stuart C. McDonald: Any of them at all?

Peter Neden: I don't recognise any of those. We have a contract that is output based in nature. We have an agreed charge rate for the running of the centre, and that is what we charge the Home Office. A couple of years ago the Cabinet Office commissioned an independent audit, carried out by Moore Stephens and PwC, into all our large contracts, including this contract. They tested our invoicing and charging against the terms in the contract, and they found the charging to be correct. So it is simply not true that we charge for individual items. We have a charge for the running of the centre.

Q130 Stuart C. McDonald: Finally, the slideshow that various reports have referred to as showing a 20% profit—you don't understand what that document is?

Peter Neden: Nobody has provided that document to me. I am aware of what was put in the media. What I would say, though, is that we run a large, complex business in the UK and, like many businesses, we run some of the services as shared services. Our insurance, our legal support, our finance function, our HR support and our IT systems are all shared services. The centre management team just never see the costs of those shared services because we don't want them worrying about the support services. They are all real costs, but we don't want the centre management team worrying about those things. Even Jerry—I don't want Jerry worrying about those things. I have other people to worry about those things. So even Jerry does not see the contract profitability; only myself, the finance director and the finance community in the group would see contract profitability.

Q131 Chair: The evidence we heard from Mr Ward in the previous session suggested that those sorts of overheads were taken into account in advance, as part of the contracting process and the figures that would have been produced. His assessment in the evidence he gave us was that that 20% to 30% level of profit on Brook House and Tinsley House was plausible and fits with information and data that he had seen over many years.

Peter Neden: All I can say is that the centre management team do not see the contract profitability. They simply cannot, because of our shared services. It is true that we bid for this contract back in 2007, and there would have been an expectation of a profit that we would receive for the risks that we were taking on at that time, but the actual profitability that we achieve is just not visible to the centre's management team. On some contracts, it is true that we make more than we were expecting when we bid, and on others, some of which were very publicly disclosed, we make much less—indeed, we make losses on some of those contracts. That is just the way those contracts work. There are other ways of running those contracts that we would be very happy to operate if our client wished us to do so.

Q132 Chair: Are you saying that you do not make over £2 million of profit on Brook House and Tinsley House?

Peter Neden: No, I don't think we do.

Q133 **Chair:** Are you saying that you do not make profit of over 20%?

Peter Neden: We don't make profit of over 20%, no. That is overstated.

Q134 **Chair:** Do you make profits of between 10% and 20% on the contract?

Peter Neden: I am afraid I am just not at liberty to disclose the profits that we make, because that would put us at a disadvantage with our competitors.

Q135 **Chair:** I think unfortunately the fact that some very serious allegations have been made about G4S not providing full and accurate information to the Home Office and, also, the fact that this is profit on a service in which there has now been very serious evidence of abuse and mismanagement taking place, means that actually it is not acceptable for you simply to provide no information about the profitability on these contracts.

Peter Neden: We do provide that information to the Home Office, which is our client; we just do not provide it publicly.

Chair: I am afraid that unfortunately the need for public accountability for taxpayers, given the seriousness of the allegations being made against you, means that I think you will have to provide some more information. I would ask you to reconsider that answer.

Q136 **Naz Shah:** While we are talking about profits, just to add to what the Chair has said, there have actually been allegations that there has been malpractice; and there have been allegations that G4S has submitted costs to the Home Office that you have actually not incurred. I would like to put that on the record so that when you do submit that evidence you take that into account.

I have a few questions. Mr Petherick, you talked earlier about Nathan Ward coming to you and talking about the ethos and culture of your organisation, and complaining. That investigation—it is now 2017—is still ongoing. I find that really alarming.

Jerry Petherick: No, I need to be very clear about this. I have many discussions with many individuals, managers and otherwise, about ethos, about how we interact with detainees and so forth. That is at one level. Another level is if people come to me and say that an individual has misbehaved; and I would look at that in a different way. I have ongoing discussions with people, both within the company and outside it, about our expectations of behaviour, how we uphold them, how we train people and so forth. That, as I see it, is a very normal managerial discussion at a number of levels.

Q137 **Naz Shah:** Mr Petherick, earlier in your evidence you said that we should not underestimate the role of the inspector. The fact remains that what you referred to as the incident of inappropriate restraint was a bit more than inappropriate, wasn't it? It was illegal. It was Yan putting two fingers down a detainee's throat and actually choking him. That is illegal. It is a bit more than inappropriate. Would you agree: yes or no?



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Jerry Petherick: Yes, I would, and that will be for the police to investigate.

Q138 **Naz Shah:** Furthermore, Mr Petherick, 41% at point of entry: you talked about surveys that they felt—detainees or whoever came in—that you had concern for their mental health. Do you do an exit survey of the same concerns: yes or no?

Jerry Petherick: Can I just say that it wasn't me saying what was said.

Q139 **Naz Shah:** No, sorry, it is just a yes or no answer, Mr Petherick. Do you do an exit survey when people leave the establishment, asking the same questions?

Jerry Petherick: No, we don't.

Q140 **Naz Shah:** Thank you. So I put it to you that actually that survey does not mean much, because given the allegations, and given the "Panorama" footage that we have seen, if you cannot demonstrate that upon leaving your institutions people still have that confidence, then it is irrelevant.

Furthermore, with regard to your relationship with the Home Office, can either of you tell me how integrated the on-site Home Office team are with your staff on site? What is their day-to-day role on the site, and would you say that it provides sufficient oversight? I would like brief answers, please.

Jerry Petherick: They do provide the oversight. They aren't located in the same office; there is a separate area. They have complete access to the centre. They walk around the centre, talk to staff, talk to detainees and perform both a caseworking and a monitoring role.

Q141 **Naz Shah:** So can you tell me what kinds of contracts your staff are on, in terms of your cultural challenges for your staff? Are they on shift patterns? What is the turnover of staff? Are they on zero-hours contracts or long-term contracts?

Jerry Petherick: They are on long-term contracts and shift patterns, and obviously there is the availability of overtime and so forth. We work with the staff in the POA on such things as shift patterns and so forth, as any normal expectation would be.

Q142 **Naz Shah:** Mr Petherick, having read your biography, I see that you come from HM prisons, so you have worked in the public sector, not just for G4S, which is a private institution. We do not get these kinds of "Panorama" programmes with prisons run by the Prison Service. I have experienced plenty—with a parent in prison, for 14 years I visited those establishments. I am really struggling to understand, because every time we ask you a question, you give us this long list of, "This is what we do, this is what we do, and this is what we do," but the fact remains that your systems have failed drastically. I am surprised that we have not had a death on your watch, whether by Spice, by abuse of staff, by strangulation, or just by cold-blooded murder by one of your staff. Had



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Abbas choked and died at that time, that would have been manslaughter or murder.

Jerry Petherick: Yes, I would expect that to be so.

Q143 **Naz Shah:** And that would have been on your watch. So all these systems that you have in place are failing. Do you accept that?

Jerry Petherick: In those instances. I think I have already accepted that.

Q144 **Naz Shah:** Thank you. Furthermore, how many complaints have you received from detainees? What is the process for them?

Jerry Petherick: The complaints from detainees do not come to us; they go to the Home Office, who then investigate as appropriate through their professional standards unit. So—

Q145 **Naz Shah:** Do you get feedback from those complaints, to improve your systems?

Jerry Petherick: At local level, yes we do.

Q146 **Naz Shah:** How many are you aware of in Brook House in the past two years, for example?

Jerry Petherick: I do not have that figure off the top of my head, but I can send it to you.

Q147 **Naz Shah:** Please find it and send it to us if you have any from Brook House, or indeed from any of your detention centres. Can you tell us how many detainees' feedbacks you have had from complaints? Have you carried out any systematic review of the complaints you have received about any specific officers suspended? We have talked about the 100 complaints you have received, Mr Neden, through the whistleblowing channels. Have you had any systematic reviews of all of them?

Peter Neden: We review all of those, and that is across a very wide and diverse business.

Q148 **Naz Shah:** What changes have you implemented as a result of that?

Peter Neden: We have addressed all of the complaints individually. There is nothing in the plethora of things that are raised through the whistleblowing line that indicates to me that we have any systemic failings within the G4S business as a whole. I do accept that what we saw in the programme was entirely unacceptable.

Q149 **Naz Shah:** So we had a "Panorama" on Medway and we now have a "Panorama" on Brook House, and you do not think there are systemic failings. Do you want to reconsider that answer, as an organisation?

Peter Neden: You asked about the whistleblowing allegations. These are raised across the very wide range of businesses that we operate in a number of different fields, including our commercial business. Each of those has been addressed through the whistleblowing facility.

Q150 **Naz Shah:** Let's go back to Brook House. You have talked about 10 cases



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where you have had staff-on-staff complaints. What have you done about reviewing them? You can excuse one, and you can excuse two, but when you have got a pattern of behaviour of complaints about staff-on-staff bullying, you have a systematic problem. Would you not agree?

Peter Neden: No, I don't agree. I actually think that people raising matters through the whistleblowing line is a sign of a healthy establishment.

Q151 **Naz Shah:** So you have 10 staff raising complaints through the whistleblowing mechanism in the same institution. Did you do any systematic review of that place?

Jerry Petherick: If I—

Naz Shah: Sorry, Mr Petherick, but I am addressing Mr Neden.

Peter Neden: I have reviewed all of those cases to make sure that we have addressed each of those individual instances appropriately, and I am satisfied by that.

Q152 **Naz Shah:** Addressing them and dealing with the issue are two different things. Would you not agree, Mr Neden? Had you addressed the culture at G4S, perhaps we would not have had another "Panorama". Your addressing is not quite up to scratch, is it?

Peter Neden: There are a number of issues raised through the whistleblowing line. I think they fall into more than one category. Sometimes the whistleblowing line is used for matters that are perhaps more general staffing, for instance. To give a very simple example, occasionally one of our security officers will use the whistleblowing line to raise a query about their pay, where we have made an administrative error—

Q153 **Naz Shah:** Let's just go back to Brook House, Mr Neden. Ten staff—

Peter Neden: The same is true across Brook House. Across those incidents, some will simply be administrative matters. We have dealt with each of them depending on what has happened.

Q154 **Ms McVey:** I would like to look specifically at the detainees. Within your detention centre you have foreign national offenders mixing with asylum seekers, right?

Jerry Petherick: That is correct. We look after the people who are sent to us. From an operator's point of view, we have to be very careful not to demonise one group of people or another. We have challenges from the foreign national offender group, certainly, but we have other challenges from other members of other groups. I would much rather work with individuals, and when individuals cross a certain threshold of behaviour, they will be taken from that area and put into more secure accommodation. Some of those will be FNOs and some of them won't be. It is too easy for us to demonise one group or another.



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Yes, there has been an increase—up to 45% of our population at Brook House currently will be FNOs who have served their sentence and are now moving out of the country. There is no doubt that they come with certain attributes; they are more experienced. We talked earlier about drug use and so forth. Our experience is that they are more sophisticated in that way. It is our job to manage that. I encourage us to look at individuals, not groups, while recognising some of the facets that have come alongside the changing population.

Q155 Ms McVey: Nobody was seeking to demonise, but I think you hit the nail on the head with “different attributes”. I would say that people possibly seeking asylum—raw, emotional and fleeing persecution—have very different needs from people who are criminals or possibly ex-offenders leaving the country. I was looking at your rationale for how you separate those very different cohorts of people. Are you saying that you don’t have a rationale?

Jerry Petherick: No, we treat them as a unit. Logistically, we have to. Because of the population ebbing and flowing, to a degree, we need to operate at the correct numbers and the correct levels, so we utilise the accommodation to its maximum. We are expected to do that and we deliver that.

Q156 Ms McVey: The “Panorama” programme showed foreign national offenders bullying asylum seekers, so do you want to review what you are saying on why you don’t separate the two?

Jerry Petherick: That was the claim. I do not know the individual cases, because I couldn’t identify how accurate the claim was. In my experience, non-FNOs will also challenge and bully and intimidate other people. That is the claim, and I fully accept that, but I don’t know the veracity of the claim. We look at how we integrate and manage the population we have at Brook House.

Q157 Ms McVey: I am very interested in different types of people and tensions between individuals, the mental health of different individuals, and the culture of an organisation. Colleagues here today have asked about staff, oversight, whistleblowing and profits. I would go down to the very basic design of a centre—how you set it up and how you separate people—because I think all of that, from the very basic structure to how you hold the most vulnerable people, very much permeates right the way through to the culture.

Having seen the bullying—I know you were talking about the best occupation of rooms—I would say you should start with the individual people who you are looking after. Again, having looked at the “Panorama” programme, will you reconsider how you separate the people who you are looking after?

Jerry Petherick: Taking the learning from the programme, we will obviously be looking at that as part of our action plan. I totally agree with you that the architecture of the centre and the environment really are important. We operate with the environment, and we are looking at ways



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in which we can further soften it. We have been criticised for that, and I accept that criticism from the chief inspector and so forth, and we are actively looking at how we can improve the environment. For all of us, I think the environment has an impact on our behaviour.

Q158 **Ms McVey:** I'd say you have a duty of care to the detainees, obviously, and to your staff to make the environment within which they work as easy as possible, and from that really does stem the culture. Maybe some of the forceful ways they have used to restrain people have come from the difficulties in the very basic design of your centres. I would ask you to re-look at that and separate the people out.

Jerry Petherick: I am very happy to re-look at that.

Q159 **Chair:** Linked to that question, the issue was raised about whether you have detainees including foreign national offenders with a long history in prison being housed in the same area as new arrivals, including newly arrived asylum seekers. Is it right that you also have standard detainees in the induction unit?

Jerry Petherick: Yes, we do. There is no formal induction unit at Brook House. We define one area of a wing as that and we put people in that area as they come into detention. We have to maximise the use of the accommodation. We are expected to maximise the use of the accommodation, so there will be times when they will be co-located.

Q160 **Ms McVey:** You have possibly put greater emphasis on maximising space rather than on the duty of care of the people who are there, both the detainees and the staff. That has possibly culminated in some of the bad practice we have seen.

Jerry Petherick: Duty of care is paramount to us. We have to have the balance between that and the expectations on us.

Q161 **Ms McVey:** But you will be looking and reporting back to the Committee on how you could improve your basic design, which could run right the way through the organisation.

Jerry Petherick: Sure.

Q162 **Chair:** You and the Home Office refer to G4S having made various savings and efficiency savings since the start of the contract. Does—as you would describe it—maximising the use of the facilities count as the kind of efficiency savings that have increased the overall level of profits or the lower charges to the Home Office?

Jerry Petherick: The increase in bed capacity and what I would call the blended night rate for a detainee were reduced.

Q163 **Chair:** So the result of having the extra third bed in the cells has reduced the unit cost of looking after a detainee?

Jerry Petherick: Correct.

Q164 **Chair:** And having standard detainees in the induction unit—the induction



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wing or area—of the accommodation has presumably reduced the costs compared to what it would otherwise have been if you had had to completely segregate new arrivals and long-standing detainees?

Jerry Petherick: We are paid on bed availability, not on the person being there. We have to accommodate the number of people that are allocated to us at Brook House. That is how we operate and we are expected to facilitate that.

Q165 **Chair:** So if you wanted to completely separate the new arrivals from the long-standing detainees, would that cost you more money?

Jerry Petherick: No. In that case, it would be a discussion with the Home Office, because it is not a unilateral decision. A discussion would flow from there as to the impact on unit costs and so forth. We don't have an arbitrary right to say, "That area is only going to be used for this type of detainee." That is a discussion and a negotiation—a sensible, professional agreement is raised, because our interest goes back to the duty of care, and likewise for the Home Office. We have to have that discussion.

Q166 **Mr Chope:** In your evidence, you say that you have requested that the BBC provides all the evidence in its possession so that the investigation can be completed fully. Has that yet been done?

Peter Neden: No. To date we have not received any information or evidence from the "Panorama" team.

Q167 **Mr Chope:** When are you expecting to receive that?

Peter Neden: We have made two requests to "Panorama" and would be delighted to receive any information that they have to help us.

Q168 **Mr Chope:** In the past when they carried out an investigation, did they provide you with all the evidence when you requested it?

Peter Neden: No, they did not.

Q169 **Mr Chope:** Surely the whole purpose of this is to try to produce a better system. It disappoints me that "Panorama" don't seem to be working with you, the Home Office and the public in order to deliver that. There seems to be more of an adversarial approach. Is there anything else you think we could do as a Committee to try to prevail upon the BBC to be more co-operative?

Peter Neden: I completely agree with your sentiment. We and the Home Office team only want these facilities to be run decently and safely and to operate effectively. I agree with you that it is a shame that we have not been given that information.

Q170 **Mr Chope:** In that context, your organisation employs 30,000 staff and I think it would be wrong not to put on record today our appreciation of the really good work that your team and staff do in general across the country in all the different roles that you perform. You obviously share our concern about what has happened at Brook House and are determined to get to the bottom of it. Can I ask you this? You say you



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are paid on bed availability, yet you say you are not operating at full capacity.

Peter Neden: Yes, Jerry alluded to this. The centre has 508 places available and that would be absolutely every bed taken. We have a throughput of 14,000 people through the centre every day. Every day people leave the centre, either—

Q171 **Mr Chope:** Every year?

Peter Neden: No, every day.

Mr Chope: Every day—14,000?

Peter Neden: Every day. No, 14,000 a year, so every day a significant number of people arrive into the centre and a significant number of people depart from the centre, either to return to country of origin or to return into the UK. We would find it very difficult to run at 508 because, inevitably, we need to be careful about how we mix people up. We cannot just put everybody in every bed. We tend to be running at about 450 to 470 places, but that fluctuates.

Q172 **Mr Chope:** Is that your choice or the Home Office's choice?

Peter Neden: It's a combination. We declare what we've got available every single day to the Home Office and the Home Office will then provide us with additional people. We have to take everybody that the Home Office provides to us. They are obviously very cognisant of us saying we are getting very tight on available places because we don't think it is appropriate to put three people in this room on this occasion.

Q173 **Mr Chope:** With that amount of throughput, it is obviously more difficult to control drugs coming in and all that sort of stuff.

Peter Neden: Jerry has been very clear. We are not able to do full body searches of people entering the centre, leading to drugs coming in.

Q174 **Mr Chope:** Does that contrast with the situation in the prison estate that you manage?

Jerry Petherick: That is the same. In any custodial situation, we are not allowed to conduct intimate body searching.

Q175 **Mr Chope:** Who can do that?

Jerry Petherick: It would be a matter for the police under their control, where there is sufficient suspicion. HMPPS is unable to conduct full body searches, in the same way as ourselves.

Q176 **Mr Chope:** You have got the prison estate as well as the detention estate. It surprises us—certainly me—that people who are serving sentences of imprisonment and are going to be subject to deportation on completion of that sentence are not processed for deportation in advance, so that as soon as their sentence comes to an end, they can be immediately deported. Why is that not happening?



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Jerry Petherick: Increasingly, it does happen and is happening. The Prison Service went into a hub and spoke approach to this, with some prison establishments being defined as the experts in handling that kind of case. Where it does go on across the MoJ-Home Office boundary, it is in a very good way.

Let's be honest, some of the individuals have very long, complex legal cases that are ongoing. We very often find that those legal cases are still in action when they complete their prison sentence and move to us. That is one of the issues. It is absolutely wrong for anyone to give the impression that no work is going on across that MoJ-Home Office boundary. I have seen it expand considerably in recent years because I've got a foot in both camps.

Q177 **Mr Chope:** Good. Do you think there is more scope for it to expand further, or has it reached its maximum?

Jerry Petherick: There can always be more scope, and there can always be more streamlining about providing legal advice at the appropriate time and so on. We should remember that all the detainees at Brook House and other immigration centres have access 24 hours a day to mobile phones. They hold them; they retain them. We provide access to emails and faxes and so forth, to facilitate the cases, because we need to and want to work hand in hand with the authorities to facilitate the completion of the case. We actually publicise and talk to detainees about voluntary repatriation to their country of origin and so forth. That is the purpose of Brook House. The purpose is not to hold people for prison sentences; it is to facilitate the closure of their case—either through movement out of the country or within the country.

Q178 **Mr Chope:** How quickly does that happen, once they arrive at Brook House? How long does it take before they go?

Jerry Petherick: It varies enormously, because the cases themselves vary enormously. We have to have the correct paperwork from the home country's embassy and so forth. It is virtually impossible to give a standard answer to that, not because I don't want to, but because of the huge variety of the cases.

Peter Neden: I am sure it is obvious, but just to be crystal clear, in the same way that we do not determine the length of a prison sentence for one of our prisoners, we are not the people who determine whether someone should be in custody in one of our immigration removal centres. We are simply co-operating with the Home Office and the authorities on looking after those people while their case is determined.

Q179 **Mr Chope:** So it would be the Home Office that decides whether someone should be kept on the prison estate after the expiry of their sentence.

Peter Neden: I think that's the point, isn't it? A prison sentence tends to have a very definite end date, and with the immigration detainee population, those dates are less certain. We simply look after the people who the Home Office provide to us to look after.



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Jerry Petherick: Over the past year, there has been an acceleration of people moving at the end of their prison sentence from the prison estate into the detention estate. That has been very notable.

Q180 **Mr Chope:** We heard earlier allegations that there is too cosy a relationship between you, as a contractor, and the Home Office.

Peter Neden: Well, I can assure you it doesn't feel like that. They absolutely rightly hold us to account for the delivery of the service, and we would not wish it to be any other way. It is entirely proper, but it is very robust.

Q181 **Mr Chope:** We have heard third-party allegations that you have not supplied information or have misled the Home Office in relation to issues. It seems to me that if there are going to be allegations against you on that, they should come from the Home Office, rather than from third parties. I don't know whether you want to comment on that.

Peter Neden: I would agree with you.

Q182 **Chair:** What, you think that no third party should ever raise concerns about contractual information?

Peter Neden: No, I think if the Home Office have concerns, the Home Office should raise them.

Q183 **Chair:** Does that mean you think it is illegitimate for any third party to raise concerns?

Peter Neden: No, absolutely not. It is absolutely legitimate for people to raise concerns.

Q184 **Sarah Jones:** We are trying to get to the bottom of what has gone wrong and why. We have heard allegations of a range of things—lack of investment, lack of training and a culture where behaviours are allowed within your organisation. We have also heard about the Home Office policies and the impact that indefinite detention obviously has on the system you are trying to organise. How much do you think UK policy and the lack of a limit on detention is impacting on your ability to do what you are contracted to do?

Jerry Petherick: I have to make it clear: my job is to make sure we care for the people who are allocated to us. We failed in the instances that were shown. It is for the Home Office to answer on the policy behind that.

Q185 **Sarah Jones:** So you don't have a view, as an individual, about that policy and its impact.

Jerry Petherick: My view is about caring properly for the individual.

Q186 **Sarah Jones:** Okay. We heard this morning that 52% of the people who go through the system end up getting released back into the UK and can remain. Do you think you are basically making money on a system that is fundamentally flawed and, in some senses, unnecessary in the first place?



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Jerry Petherick: Again, it is for other people to determine that. I concentrate my efforts on making sure—as sure as I can be—that we do what we do within our perimeter correctly.

Q187 **Sarah Jones:** So you just do the contract that the Home Office asks you to do, and do not have a view on the wider picture?

Jerry Petherick: Yes.

Peter Neden: We provide the services where we are asked to provide the services.

Q188 **Sarah Jones:** Do you have a view on the amount of funding that is provided for these kinds of services? We have heard about three people in a cell, lack of training and two members of staff being responsible for 100 people—the tensions that come from that lack of resource. Do you think that if the Home Office had a bigger budget, you could run a better service?

Jerry Petherick: Let me address the training issue. We obviously have an initial training course, which is certified by the Home Office and we look at that periodically. We looked at it last year; we will look at it again, for very obvious reasons. We have ongoing staff training in a number of areas. I would obviously want to do as much training as possible, but my view is this: I come back to the fact that the vast majority of my staff operate in a challenging environment, in an absolutely correct and, on occasions, incredibly brave manner.

What I have to do is really emphasise the positives and weed out the people who acted inappropriately like this, and this risk. We all know, through history, that there is a risk of this in any custodial environment—go back to the Stanford experiments, the Milgram tapes and so forth—and we are aware of that. I need to make sure that we have the right selection, the right training and the right operational oversight to minimise the risk, and obviously we need to look again at how we have been doing that.

Q189 **Sarah Jones:** In terms of how you learn from this and how you change, concerns were raised earlier that you were investigating yourself and that is perhaps not appropriate. I see that you are doing an independent review, but you will decide who does it. Do you think that is at arm's length enough to enable you to be honest and learn the right lessons?

Peter Neden: Certainly. We are in discussions with an organisation that is suitably qualified and capable of doing that. It has been made very clear to me by that organisation that I am not commissioning a consultant and that the terms of reference will be such that they are happy with. They will also be terms of reference that the Home Office is happy with. I am very clear on that. The review will take as long as it takes, and be done in a way that is satisfactory to the reviewer.

Jerry Petherick: I should make it clear that a number of investigations are ongoing, quite properly. The one into the allegations that have been made about me not carrying forward has been taken away from that, quite



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properly, and is being conducted independently, reporting in to our legal counsel. I think that that was possibly behind one element of your question.

Sarah Jones: I have a final question about your board structures and how you manage risk and measure these things. I was slightly concerned that you were over-reliant on the inspectorate and that you rely on them to tell you that something is going wrong. The whistleblowing has clearly not worked in this case, and you referred to the inspectorate a lot. What measures are there to help you measure the risk of this stuff happening? How do you assure yourself that this is not happening?

Peter Neden: I report up to the group executive committee on all aspects of the business. Every month I conduct a business review with all the managing directors, including Jerry, which covers a range of operational, customer and financial information. Jerry conducts a review with each of his centre directors that is very focused on the operation at the centre—use of force, violence levels and so on. In addition to that, we have a monthly meeting with the Home Office on our contractual compliance, to make sure that we are delivering according to the contract. As Jerry mentioned, I chair a quarterly harm reduction committee focused on violence and self-harm.

I suppose what I am trying to portray is that there are proper and robust management review processes in place; we were simply saying that, in addition to that, there is the external scrutiny of the HMIP and the IMB. We do not rely entirely upon it, but of course we do take it very, very seriously.

Q190 **Stephen Doughty:** What concerns me is that this is not the first incident to come to light or the first incident related to just the immigration detention part of your business. Medway, Rugby, Cedars, Birmingham—the list of controversies, scandals and revelations is pretty ongoing. I cannot think of another contracting-out company of your nature that is in the news quite so often. What worries me is that there are consistent themes: behaviour of staff, drugs, training procedures and how things are whistle-blown and investigated. There is a systemic failure across your business. Why on earth should you be awarded any further Government contracts?

Peter Neden: I understand what you are saying; I just happen to disagree with you, I am afraid. The vast majority of the work that we do and that I see is of an exceptionally high standard, and I am very proud of that work.

Q191 **Stephen Doughty:** But why are the same problems occurring again and again, if you have a grip on the situation?

Peter Neden: I suggest that they are not the same problems. I think the situation in Birmingham prison that you alluded to is really the result of system-wide pressure in the prison estate. In the same period that you referred to, I think there were three other disturbances in other prisons, so I don't think we are looking at—



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Q192 **Stephen Doughty:** But Cedars, Rugby and all these other places also had incidents with inappropriate use of force and staff involvement with drugs. You said yourself, Jerry, that you have been aware of the drugs problems for many years. If you are aware of the problems, if they are happening in multiple locations of yours, and if they are repeating over and over again, surely there is a problem with the training and the culture of your organisation.

Peter Neden: I completely agree with you: there is a system-wide problem with drugs in all custodial institutions. That is not unique to us, and all of us need to get better at dealing with it. These incidents, as I say, we take very seriously; that is why we are taking the action that we are taking.

Q193 **Stephen Doughty:** But restraint and use of force have come up specifically again and again. You said that people receive comprehensive training on entry—indeed, Mr Ward said that in the previous session. You also said that it is reviewed every year. If your training process is so comprehensive and full, how on earth are these things still happening? How have we got to that situation, where you see utterly shocking, disgusting and criminal behaviour in one of your institutions?

Jerry Petherick: That is what we are addressing, and we are addressing it in a number of ways. To go back to the control and restraints training, I used to be a control and restraints commander, so I have gone through the training and I know what the training is. I have led tornado teams into disturbances. The training is week-long, accredited and formally refreshed every year, because that is vitally important.

Q194 **Chair:** You have only a week's training?

Jerry Petherick: No, no. That is on control and restraints techniques; it is one element of the initial training course.

Q195 **Chair:** How long is the initial training course?

Jerry Petherick: Eight weeks. Control and restraint is a vital, very good tactic, because I can remember the days before C and R. It was not good.

Q196 **Stephen Doughty:** But do you accept that your system of training and refreshing that training is failing, given what we have seen of the behaviour of your staff in Brook House?

Jerry Petherick: In those instances that was shown.

Q197 **Stephen Doughty:** So it has failed.

Jerry Petherick: They did not use the control and restraints techniques. I don't think that is an issue of training, necessarily; it is an issue of individuals.

Q198 **Stephen Doughty:** So your recruitment has failed, then.

Jerry Petherick: People acted inappropriately. There is always a risk of that. I have known throughout my 35 years in this vocation that occasionally human beings will act in a way that we don't want them to.



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Q199 **Stephen Doughty:** The last question from me: when you saw that programme, did you consider your own position?

Jerry Petherick: Yes. This has been an incredibly intense period of self-reflection and so forth. I would be an idiot not to be that way, because that is how I am built, and actually that self-reflection is ongoing. At the moment, my job is to be the leader. It is my job to take Brook House, and the rest of my business, through this. Of course I have looked at myself; I would be failing in my duty to everyone if I hadn't.

Q200 **Chair:** Mr Petherick and Mr Neden, I am afraid that the answers you have given do not suggest that you have any grip on this at all. The answers that you have given to these very serious allegations and serious evidence of abuse and mismanagement taking place could simply be the answers that you might have given several years ago to the footage coming out of Medway. You have given us warm words about having some form of independent inspection. You told us in the answer that you have just given us that somehow these things happen. Your answer as to why these issues were not picked up by line management was simply to say you have given that great reflection yourself and you have agonised over it. None of this suggests that you have any idea why this has gone wrong so substantially on your watch. You had a responsibility towards detainees and yet they were abused while in your custody. You have told us nothing that gives us any confidence that you have a strategy for dealing with this or for understanding how it could happen in the first place.

Let me ask you some final factual questions to fill the gaps—

Mr Chope: Before you do that, Chair, when you say “us”, you are prejudging our inquiry and certainly not speaking for me.

Q201 **Chair:** You have put that on the record, Mr Chope. That's wonderful.

Let me ask some final factual questions. What is the longest period for a detainee held by you?

Peter Neden: I can give you information on that. I am not sure. On 31 August we had a population of 455 detainees, 283 of whom had been in the centre for less than a month, and 82 were one to two months. At the other end of the spectrum there were four detainees who were between 12 and 24 months. There were no detainees who had been held for more than 24 months.

Q202 **Chair:** The longest time for an individual?

Peter Neden: I don't know exactly, but it is somewhere between 12 and 24 months. There were four in that category.

Q203 **Chair:** Concerns were raised with us earlier about cell size. With three people within the cell size, that would mean we would no longer meet international standards. Is that accurate?

Jerry Petherick: All rooms that are used are certified for that use by the Home Office.



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Peter Neden: We would not be able to put three people in if the cells were not meeting the standards that the Home Office set.

Q204 **Chair:** *The Guardian* reports today an email from a G4S manager saying that you were contracted for 80 staff for Tinsley House, but in fact were only employing 60 staff. Is that accurate?

Jerry Petherick: No, it is not. That has incomplete information. I believe that refers to a period when we were in very open and clear dialogue with the Home Office about increasing the capacity at Tinsley House, increasing the numbers of staff, and increasing the welfare provision. All of that is very clear auditable documentation with the Home Office. I believe that person was using incomplete information. It is also a matter of fact that we employ more staff at Gatwick than was proposed in our initial bid.

Q205 **Chair:** And the Medway report asked you to analyse what went wrong with organisational culture at Medway to enable staff to feel that they could act as they did. Did you as a consequence of that Medway report look at the organisational culture in all of your institutions or just in Medway?

Peter Neden: Our focus was on Medway, but we took some of the practice from Medway around body-worn cameras and whistleblowing and rolled that out across the estate. I personally visited each of the facilities, as did a number of other members of the executive team, and I called a big town hall meeting with everybody who was there to go through the events at Medway and to encourage people to use the whistleblowing lines in particular.

Q206 **Chair:** In relation to Mr Doughty's questions, you were asked about the allegations of drug dealing by staff. Can you confirm that you said no members of staff have been suspended as a result of any of those investigations?

Jerry Petherick: That is correct.

Peter Neden: In relation to Brook House.

Q207 **Chair:** Nathan Ward also said that he had raised concerns with you in 2014, Mr Petherick, and you said those were still being investigated, even though that is three years later.

Jerry Petherick: No, his claims are being investigated. I am satisfied in my mind that had he named any individuals, I would have taken the appropriate action. It is entirely likely that we had a general discussion about attitudes, ethos and so on, but that will be the subject of the investigation that is going on into his claims.

Q208 **Chair:** But you did not take any further action about management culture in general at that time.

Jerry Petherick: I obviously have ongoing discussions with the management team and the director at any establishment.

Chair: Let me finally say to you that, given the very serious allegations



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that have been raised about the contracting process, it would be very helpful if you could reconsider the information you are able to give us about the profit that you make on this contract and, if you are able, give us some broad information on the contract process, as this is something that we will need to pursue further.

I thank you for giving evidence to us at short notice, but I say to you again that, given the very serious evidence and very serious footage that have emerged, G4S has been through this too many times and been questioned on these issues too many times. For you to be able only to give the same answers that you have given before, without showing that you really have a serious grip on dealing with these issues, is a matter of very grave concern, given the seriousness of what is happening. Thank you very much for giving evidence today.