

**ANNUAL REPORT FOR 2010
OF THE INDEPENDENT MONITORING
BOARD FOR HASLAR IMMIGRATION
REMOVAL CENTRE**

Statutory Role of the Independent Monitoring Board (IMB) for Haslar Immigration Removal Centre (IRC)

The Immigration and Asylum Act 1999 requires every IRC to be monitored by an independent Board appointed by the Home Secretary from members of the community in which the centre is situated.

The Board is specifically charged to:

- (1) satisfy itself as to the humane and just treatment of those held in immigration removal centres.
- (2) inform promptly the Secretary of State, or any official to whom he has delegated authority as it judges appropriate, any concern it has.
- (3) report annually to the Secretary of State on how far the immigration removal centre has met the standards and requirements placed on it and what impact these have on those held in the centre.

To enable the Board to carry out these duties effectively its members have right of access to every detainee and every part of the centre and also to the centre's records. Although appointed by Home Office Ministers Board members are unpaid volunteers and are independent of both Her Majesty's Prison Service (HMPS) and the United Kingdom Borders Agency (UKBA).

As such they are the only independent presence in the Centre on a day-to-day basis.

CONTENTS

1.1 A BRIEF GUIDE TO HASLAR IRC	2 & 3
1.2 INTRODUCTION TO HASLAR IRC ANNUAL REPORT.....	4
2. EXECUTIVE SUMMARY	4
3. MATTERS REQUIRING A RESPONSE	5
4. OTHER ISSUES	6
5. OVERALL VIEW	7
6. MANDATORY REPORTS	7
7. OTHER ASPECTS OF THE HASLAR REGIME	8
8. WORK OF THE IMB	9

1.1 A Brief Guide to IRC Haslar

The Victorian buildings at IRC Haslar were originally used as a Royal Navy (RN) barracks, then as an RN prison and later as a Young Offenders Institution (YOI), until taken on by the Immigration Services - now the UKBA - as an Immigration Removal Centre (IRC) in 1989.

All external physical security measures comply with a Category "C" closed establishment. However this is not the case in relation to the accommodation and educational facilities. The Centre has a capacity for 160 males over the age of 18. During the reporting period (1st December 2009 – 30th November 2010), from a high of some 80% three years ago, the number of ex-foreign national prisoners (ex-FNPs)

within IRC Haslar has progressively reduced. In January 2010 the FNP proportion of the IRC's population was 46%. By September it had reduced to 36%. However refurbishment of the dormitories meant that total numbers were frequently as low as 120.

Detainee accommodation consists of six dormitories, linked by a main corridor and divided into cubicles – mostly housing two or three detainees. In all dormitories, there are shared WCs, showers, washrooms and communal areas with Free View television. **The Board has welcomed the refurbishment of the dormitories and the improved living conditions for detainees that have resulted.** It will have to be ascertained in the forthcoming year whether the availability of television in each cubicle militates against participation in educational and other activities provided within the IRC, but there are some initial signs that this might be the case.

Internal extension and payphones are installed, although detainees may use basic (ie without a camera facility) mobile telephones – often provided by the Haslar Visitors' Group (HVG). A limited fax service is also available.

Meals are freshly prepared within the Centre and served in the Dining Room, which can accommodate 132 at one sitting. Catering services are provided by HMPS at a cost of £1.91/day for each detainee. A shop in the main corridor supplies telephone cards, toiletries, snacks and sweets. The Centre's administrative staff also operate a limited mail order service. Hot water dispensers in the dormitories enable detainees to prepare instant snacks or drinks at all times.

On-site laundry services are operated by Centre staff. Detainees express some concerns about the laundry service which the Board continue to monitor.

Detainees have access to educational courses, run by Highbury College. Library facilities are provided by the Hampshire County Council. A sports hall, multi-gym and extensive playing fields allow for a varied programme of sporting activities, supervised by Centre staff. Soccer appears to be especially popular with the detainees. However there are indications that a reduced number of detainees and the installation of TVs in the refurbished cubicles may be reducing the number of detainees attending the gym. By the end of the year the gym staff establishment had become complete but there were times during the year when the facilities were restricted by staff shortages.

The buildings are maintained by the onsite HMPS Works Department. During 2010 a major programme of repairs to the sea wall has been completed under the supervision of the Works Department. At the instigation of the Centre Manager a war memorial has recently been erected in the grounds to commemorate those from many countries (as well as those from the UK) who gave their lives in war. An excellent dedication ceremony attended by the High Sheriff was held during early November in which some detainees were able to participate.

A Christian Chaplain (supported by the Salvation Army) leads a team of religious leaders including regular attendance by an Imam. Acts of worship take place in the Multi-faith Centre or elsewhere. Strenuous efforts were made in 2010 to support all the major religious faiths and their respective festivals. **The high proportion of Muslims in the IRC during 2010 made the conduct of Ramadan and the associated provision of special meal arrangements especially important. From the perspective of the Board matters were well handled throughout by both management and staff.**

Primary medical care is provided by the Centre's Healthcare staff during normal day working patterns; secondary care is provided by the local hospital trust. The Medical Officer and his practice cover the daily surgeries. Emergency cover is provided by other GPs and paramedics through the PCT. A dental surgeon has previously attended twice monthly and the Board will closely monitor new arrangements consequent on this service being replaced. The capacity of the local hospital to deal promptly with emergency dental treatment will be crucial.

Families, friends and legal advisers are able to meet detainees in the Visitors' Hall, which has interview rooms for legal consultations, a room set aside for a video link which is used for Court appearances, and a play area for children. UKBA is currently conducting a survey of detainees about their perceptions of the Court video link arrangements, and the Board intend to consider this when completed.

The Centre's Welfare Officer, provided by HMPS, is a great asset in dealing with and advising detainees with their problems. **The current officer has been robust in carrying out his role and was especially proactive when it appeared that the free legal advice service was in danger of ending.**

Cleaning services are contracted out to Quality Assured Services. Over recent years the overall standard of cleanliness within the Centre has visibly improved.

Voluntary organisations which visit the Centre include The Salvation Army, the Citizens' Advice Bureau, and Music-in-Detention. The Haslar Visitors Group provides moral and other support (for example the provision of mobile phones) including the befriending of individual detainees.

1.2 ANNUAL REPORT INTRODUCTION

This annual report is required by the Ministry of Justice to cover the period from 1st December 2009 to 30th November 2010. As last year the Board again regrets that photographs are not permitted by the IMB Secretariat to be included in the report. The IMB Annual Report 2010 concentrates on matters which have come to the Board's attention within the year and are worthy of note by recipients of this report. Enquiries about the report should be addressed to:
The Chairman, IMB, IRC Haslar, 2 Dolphin Way, Gosport, Hants PO12 2AW.

2. EXECUTIVE SUMMARY

2010 saw improvements in the living conditions for most detainees as a result of the work done to continue refurbishing dormitories and – in particular – to create considerably better cubicles within those dormitories.

Efforts by management and key staff to adopt a more outward looking approach to the work of the Centre and to engage the local community were especially commendable.

Staff attitudes to detainees are crucial to both relationships and the general mood within the Centre and these have been improving over recent years – with particular credit going to the current Welfare Officer for his efforts to assist individual detainees and provide a legal advice service.

In 2010 the Board has paid close attention to the work of reception and the induction processes for newly arrived detainees. This has re-confirmed the frequently inadequate documentation accompanying detainees from other parts

of the UKBA estate when they arrive at Haslar. Mindful that detainees are still housed within dormitories – albeit in a shared cubicle – the Board regard it as essential that Detainee Transferable Documents (and medical details) contain all relevant information on which Reception staff can make a valid judgment about the allocation of accommodation and the care of the incoming detainee.

With many detainees unfamiliar with the UK's medical facilities and the type of healthcare provided within the Centre the Board is seeking to establish better arrangements, which do not infringe medical confidentiality, for monitoring Haslar's Healthcare service and the satisfaction (or otherwise) of detainees with that service.

A proportion of detainees are released either on temporary admittance or with asylum rights into the wider community. The Board seeks clarification about the formal arrangements for UKBA to liaise with other agencies (such as the Multi-Agency Public Protection Agency) when the departing detainee is either vulnerable or there are possible security implications.

Most detainees do not now stay in Haslar IRC for many months, but a few have to do so - particularly in cases where the authorities in their country of origin do not co-operate with the UKBA. The Board regards it as extremely important for its members to be aware of the identity of these long-stayers and to have the opportunity to talk with them about any particular problems, which they are experiencing. This pre-supposes that the UKBA disclose their names to the Board, which has been the case in the past year. However, at the time of writing this report a recent UKBA ruling has prohibited such disclosure. The Board is adamant that this should be over-ruled and are making appropriate representations to that effect.

3. MATTERS REQUIRING A RESPONSE

- Failure by other IRC establishments within the UKBA estate to properly complete Detainee Transferable Documents so creating a risk of Haslar staff not having adequate information about incoming detainees prior to their allocation to dormitory accommodation.

- Reported inability of Haslar Healthcare to use System1 IT programme for accessing the NHS medical records of detainees - unless the detainee has been an FNPs (in which case the records are understood to come via HMPS)

- Improved and better collated arrangements for tabulating, monitoring, and acting promptly upon complaints from detainees both to HMPS and to UKBA. The present system is difficult to scrutinize and outcomes are sometime determined after a detainee has left the UK. The Board is keen to see measures initiated when appropriate to alter and improve procedures exposed by a complainant as being inadequate. To this end, the Board seeks assurance from UKBA and HMPS that such actions are reported to them together with the formal response to the detainee who initiated the complaint.

- Generally detainees admitted to Haslar are not likely to be subject to Multi-Agency Public Protection Arrangements (MAPPA). However, in the light of their concern over inadequate documentation of some detainees arriving at Haslar the Board seeks clarification about the adequacy of liaison between UKBA and MAPPA in relation to detainees released into the community.

- The Board deplored the delay in getting responses to (and publication of) their 2009 Annual Report and asks that this current report be given more urgent attention.

- The Board had raised with the Minister and UKBA senior management the need for names of long-stay detainees to be supplied to it, and was extremely appreciative of the reports presented in the past year. However shortly before this report was compiled UKBA notified the Board that such names could no longer be disclosed – ostensibly for data protection reasons. Non-disclosure of the names of long-stay detainees inhibits Board members from fulfilling their role in relation to such potentially vulnerable individuals. Given the nature of material about detainees to which Board members are already privy and the scope for marking such information “Protect IMB” the Haslar IMB strongly disputes the reasons given for this non-disclosure. It should be noted that in 2011 all IMB members will be using the Criminal Justice Secure IT system which enables information to be shared up to “Restricted” classification.

4. OTHER ISSUES

- The Board commends Haslar management for the increasingly outward looking approach taken within the IRC and in particular the community engagement initiatives which have been developed in 2010

- Last year the Board expressed concern over the level of vandalism and the consequent costs to the establishment. The Works Department cannot break down the cost of such vandalism, but have provided the following figures for the period covered by the report: The total number of vandalism repairs for the period 1/1/09 to 1/1/10 totalled 140 small repairs and for the period 1/1/10 to 9/11/10 totalled 61 small repairs. It would therefore appear that vandalism has reduced.

- The Board monitored treatment of a suspected outbreak of TB in January 2010, and were concerned about the adequacy of measures to screen detainees with potentially infectious diseases and to offer advice to detainees and staff (as well as IMB members) about such diseases

- The Board is currently seeking to develop its own protocol for better monitoring of Healthcare-related issues and is discussing the format of this with the medical officer to avoid infringing patient confidentiality. The Board will also be reviewing the extent to which existing Healthcare staffing arrangements may delay the progress of detainees through Reception.

- The Board has allocated additional time in 2010 to monitoring the Haslar induction arrangements at Reception and wishes to ensure that all incoming detainees – especially those without adequate literacy or a satisfactory grasp of the English language – fully understand the procedures and the facilities available to them.

- The Board has sought to monitor the welfare of long-stay detainees, and remains concerned at the length of stay incurred by a small minority

- With the installation of TV sets in the cubicles it can be hoped that there will be less disputes over the choice of channels in the communal areas, but the other prime source of tension between detainees remains the issue of smoking – especially at night - within the dormitories. This can lead to fighting in extreme instances – sometimes of an inter-

racial nature – and there are very limited sanctions within an IRC for dealing with persistent offenders.

5. OVERALL VIEW

The Board has generally been pleased with the HMPS management of the Centre in the past year. **The senior managers of the IRC consistently seek to act in the best interests of the detainees notwithstanding the many pressures imposed on them by financial and administrative requirements.** The refurbishment of several dormitories has significantly improved the quality of life for those detainees accommodated in them.

The role of the Dormitory Officers appears to have been slower (and somewhat more variable) in establishing a level of proactive interaction with detainees than Board members would regard as ideal. The board hopes that this is a matter which HMPS management will continue to pursue in the months ahead. **Generally speaking staff attitudes to detainees have progressively improved over recent years, and some detainees speak very warmly of their relationship with individual officers.**

The Board welcomed the Equality Impact Assessment conducted in relation to the Haslar Induction/Reception arrangements as this provided an opportunity to re-assess the facilities for dealing with non-English speaking detainees – a group about which the Board has always been concerned.

The Board is concerned that many detainees continue to complain about lack of feedback on their cases from UKBA. Dissatisfaction with the UKBA treatment of cases is undoubtedly a factor in poor perceptions of the Haslar regime. The Board has very much appreciated the efforts of the senior member of UKBA staff within the IRC to meet their requirements for information, but (as noted above) needs to have full disclosure of detainee details in respect of long-stay detainees.

Uncertainties over the consequences of the Comprehensive Spending Review have undoubtedly affected HMPS staff morale and this may on occasion divert the attention of some staff members from their role within the IRC. The Board has no intention of getting embroiled in management issues, but is concerned least staffing levels reduce to a point where the welfare of detainees is affected. The Board is mindful that the planned Bicycle Workshop – which would have provided therapeutic and useful results – has never developed. **Board members are also concerned least staffing levels at night should reduce to a point where security is threatened. The capacity of the existing staff complement to cope with major emergencies such as a fire, large scale disturbance, or the hospitalization of a seriously ill detainee has worried Board members for some time.**

6. MANDATORY REPORTS

:

• *Diversity*

The diversity agenda has widened significantly to embrace issue such as learning difficulties and autism. In 2010 particular attention has been paid by management and the Board to the diagnosis of these conditions when detainees come into the establishment. The Board welcomed the new remit given to the Racial Equality Action team which became in 2010 the Diversity Equality Action Team (DEAT) with a more comprehensive role.

Racial tensions do exist – generally between African and Chinese detainees – but seldom result in outright confrontation. Avoiding the concentration of any particular

ethnic group within a dormitory has been an important factor in minimizing such tensions.

As noted above the Board welcomed the Equality Impact Assessment (EIA) conducted in relation to the Haslar Induction/Reception arrangements as this provided an opportunity to re-assess the facilities for dealing with non-English speaking detainees – a group about which the Board has always been concerned. A current EIA dealing with Legal Services is at consultation stage and will result in IMB input.

• *Learning and Skills*

The enthusiasm and dedication of the Education Department staff contribute to the reduction of tensions within the IRC and help to create a sense of purpose and self-worth for detainees which is important to the overall mood within Haslar. As previously noted the new facility for watching TV in individual cubicles could militate against detainee participation in the excellent educational courses available. This will need to be monitored in the months ahead. Data made available to the Board does not cover the IMB reporting period but is shown below:

	Average % detainees inducted	Average Class size	External certificates	Internal certificates
April 08-March 09	87%	8	362	984
April 09-March 10	92%	8	307	1033

At one stage the average class size went down as low as 6 and the figures for April 10 to March 11 will probably reflect this. Recently the staff re-scheduled the timetable and in October/November attendance went back up with an average class size of 8.

• *Healthcare and Mental Health*

The Board has continued to monitor the number of cancelled medical appointments and where appropriate to inquire into the reasons for these. Although not entirely resolved the situation does seem to have improved slightly in 2010.

• *Safer Custody*

The completion of the Care Suite addressed a longstanding concern of the Board about the inappropriate use of the Special Accommodation Units for cases unrelated to disciplinary matters. The ACDT procedure appears to have generally worked well although it is important that IMB members are always advised of an ACDT having been opened when they are on rota duty.

• *Special Accommodation Units*

With the establishment of the Care Suite the SAUs have been predominantly used for detainees involved in some form of anti-social behaviour or for protection from aggression by other detainees. IMB members have sought to always see those in SAU as soon as practicable and in all cases within 24 hours of a detainee being taken into an SAU. HMPS figures for the period January to September show that the SAU facilities were used on 26 occasions.

7. OTHER ASPECTS OF THE HASLAR IRC REGIME

Catering & Kitchens

Although complaints about food do occur from time to time it is the view of the Board that generally the meals served are entirely adequate and are often excellent. It is not unusual for Board members to ask detainees what they thought of a meal and to have

a series of positive responses followed by vitriolic criticism from one single detainee who objected strongly to that particular meal on that day. The Board commends the practice of having hot meals available to detainees on arrival in Reception. Board members normally eat meals with the detainees as a matter of course and it has been pleasing to see the number of managers who also do so.

Gym and Physical Education

The gym is extensively used by detainees (and staff) and provides a useful and important outlet for the energies of the many fit young men detained in the IRC. The gym is also the venue for events that bring together members of the public and detainees such as the annual carol service and the community engagement day.

Security

In recent years the regularity and effectiveness of room searches seems to have increased. These frequently reveal the existence of cigarette lighters (to enable detainees to smoke illicitly in their cubicles or dormitory areas). One IMB member regularly attends the Security meetings and reports back to the Board. An incident in 2010 revealed the extent to which an IMB member can come into possession of information from a detainee which has significant security implications and the need to submit a Security Incident Report form (SIR) promptly after receipt of such information.

8. WORK OF THE INDEPENDENT MONITORING BOARD

The Board started the year with 9 members. 3 new members joined but unfortunately one was unable to take up her duties as a result of ill health (although still officially a member of the Board at the time of this report). One member left to become chairman of HMP Erlestoke IMB. During the year a triennial review was conducted. At the conclusion of the calendar year two members have indicated that they intend to step down from the Board. One – Mr Michael Wharton – will have completed a remarkable 30 years service as an IMB (and BOV) member on several different Boards - including three years on the IMB National Council (representing IRC matters).

In terms of training the Board Development Officer has ensured that newly appointed members receive appropriate training and that their progress through their probationary year is kept under review. At the time of writing this report the two newest Board members are scheduled to visit HMP Erlestoke.

Members regularly attend the weekly Detainee Consultative Committee meetings as part of their rota week duties and one member goes to the Non-English speaking version of this. There has been IMB attendance at Security, Healthcare, and Diversity meetings.

The Board sent representatives to the AGM of the Haslar Visitors Group and to a Guildford church meeting designed to increase awareness of the IMB's role.

Members have attended occasional Sunday services in the IRC in addition to the annual carol service.

Most importantly no week has passed without at least one member making a thorough tour of the Centre and providing an opportunity for detainees to submit applications to him/her – either in writing or verbally.

Recommended complement of the Board: 12

Board members at the beginning of the reporting period: 9

Board members at the end of the reporting period: 11

New members joining within the reporting period: 3

Members leaving within the reporting period: 1

Average attendance at monthly Board Meetings: 10

Number of Board meetings: 11

Total number of visits to the Centre in 2010 (including meetings): 210

Total number of visits to the Special Accommodation Unit: 26

Applications made to IMB members: During November a majority of the Board's members participated in an analysis of the applications they received during the 2009/10 year. This proved useful and informative. It has to be born in mind that 2 of the Board's members were in their probationary year and one was unable to participate owing to ill health. Seven members received a total of 77 applications. One member recorded a maximum figure of 20 applications and the minimum figure was 5.

The main issue raised in applications:

Problems with UKBA case work

Other issues raised in more than one application:

- (i) **Healthcare**
- (ii) **Food**
- (iii) **Legal representation**
- (iv) **Mental stress**
- (v) **Allegations of discourtesy by staff**
- (vi) **Ramadan arrangements**

Averaged assessment by IMB members of the detainee's perception of his/her success in resolving application: 56% (varying between 10 and 80%)

Additional observations:

- (i) Relatively few applications relate to the management of Haslar IRC
- (ii) Lack of awareness among some detainees of the systems in place to address their concerns
- (iii) Some applications stem from frustration and anger with the uncertainty and perceived unfairness of their treatment by the UK authorities
- (iv) There are some unrealistic perceptions of what Healthcare can reasonably deliver

Shaun Leavey OBE FRAgS
Chairman Haslar IMB