



Annual Report

of the

Independent Monitoring Board

for

**Brook House
Immigration Removal Centre**

1 April 2012 to 31 March 2013

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Introduction

This report is presented by the Independent Monitoring Board (IMB) for Brook House and covers the year ending 31 March 2013.

The IMB for Brook House acts as a 'watchdog' on behalf of the Home Secretary and the general public by providing independent oversight of the Immigration Removal Centre (IRC). All members are volunteers.

The Board monitors the treatment of detainees and the conditions in which they are held in order to ensure that these men are treated with dignity and respect. It is also the duty of the IMB to monitor how the contractors, G4S, comply with the requirements of the Detention Centre Rules 2001.

The IMB works closely with the staff of Brook House whilst maintaining independence and impartiality. Members normally raise concerns with the Management before taking them further.

A detainee can make application to see a member of the IMB to discuss his problems relating to his stay in Brook House. Our remit does not include a detainee's immigration status.

Should they wish, staff are able to discuss their own problems with the IMB and they are assured of the utmost discretion.

The G4S management team is also responsible for the running of Tinsley House IRC which is situated about three quarters of a mile away. This establishment is served by a separate IMB.

All figures quoted in this report are based on the IMB's analysis of statistics supplied by the Contractor, G4S.

RTL Fairclough
Chair
Brook House Independent Monitoring Board

August 2013

Statutory Role of the IMB

The Prison's Act 1952 and the Immigration and Asylum Act 1999 require every Prison and Immigration Removal Centre (IRC) to be monitored by an Independent Monitoring Board averaging 8 -12 members. The Home Secretary appoints members from the community in which the Prison or IRC is situated.

The Board is specifically charged to:

- 1) Satisfy itself as to the humane and just treatment of those held in IRCs.
- 2) Inform, promptly, the Secretary of State or any officials to whom he has delegated authority as it judges appropriate, any concerns it has.
- 3) Report annually to the Secretary of State on how far the IRC has met the standards and requirements placed on it and what impact these have had on the Centre.

To enable the Board to carry out these duties effectively its members have the right of access to every detainee and every part of the Centre at any time and also the Centre's records.

IMB Diversity Statement

Brook House IMB is committed to an inclusive approach to diversity which encompasses and promotes greater interaction and understanding between people of different backgrounds including; race, religion, gender, nationality, sexuality, marital status, disability, age etc. We also recognise that this fully inclusive approach to diversity must respond to differences that cut across social and cultural categories such as those involving mental health, literacy and drug addiction.

The Board values this approach to diversity within its recruitment and Board development practices. All members of Brook House IMB endeavour to undertake their duties in a manner that is acceptable to everyone in the Centre regardless of their background or situation.

Brook House Immigration Removal Centre

Brook House IRC has been open for four years and has evolved into a very busy Centre. More than 6000 men passed through Brook House during the last year while the maximum operating capacity is 426.

The purpose-built structure is about 200 metres from the main runway at Gatwick Airport. It was built to Prison Category B standard to provide secure accommodation for men awaiting deportation from the UK.

The building comprises five residential areas with communal corridors to connect. Each bedroom has two beds with lockable cupboards below and a screened lavatory. Men are only allowed to smoke in their rooms and in the external areas to which they have access. They are locked in their rooms each evening at 2100hrs until 0800hrs the next morning.

Brook House is ideally suited to short term stays. There is a shortage of space for activities but there is little prospect of this improving as the site is too small and all available space is utilised. The activities provided include education, arts and crafts, computer rooms, a library and a gym. There are four outside courtyards, one of which has been made into a garden while the others are mainly used as sports pitches.

All religious faiths can be observed with support where necessary.

The running of the Centre is contracted to G4S. The management team also runs Tinsley House, a smaller IRC about ¾ of a mile away. Cleaning and catering services are sub-contracted to Aramark and healthcare services to G4S Integrated Services. The Home Office Immigration Department has a presence in the Centre.

Executive Summary

Brook House has continued to change and adapt as it has since it was opened in 2009.

A new management team was appointed in September 2012. The subsequent changes have sought to make the Centre appear less harsh and prison-like. It is a pleasure to see many pieces of detainees' artwork enlarged and on display in all areas of the Centre.

As may be expected there has been a number of staff changes. Some of these were as a result of a staff re-profiling exercise in 2012 and others, to an extent, in response to the change of management.

The atmosphere in the residential areas has continued to improve and, in the opinion of the Board, is generally fairly settled.

The number of detainees staying at Brook House during a year is increasing and this throughput is expected to rise considerably during the coming year. As a result the detainees are staying for shorter periods. This is good news as the Centre is designed to hold men for only short periods. However, this change makes greater demands upon staff particularly when dealing with the reception, induction and discharge of detainees.

Issues requiring a response:

Issue 1: Size of mosque for growing Muslim population (pages 10 – 11, paragraphs 29 – 32)

The Muslim population is reaching ever-higher levels and, on increasing occasions, there is insufficient space in the small mosque.

Issue 2: Standby places for charter flights (pages 12 – 13, paragraphs 50 – 60)

The practice of advising a detainee if he is to be taken to the airport on a standby place for deportation does not alleviate the very evident distress caused to a man should he not eventually leave on the flight. The Board again asks for a more humane system to be introduced to enable the charter flights to be fully occupied.

Issue 3: Deportation to home locality (pages 13 – 14, paragraphs 61 – 63)

It appears that Home Office case workers may need to be more acutely aware of the actual locations of detainees' homes. This would reassure the men being returned that their journey will be completed. There have been occasions when detainees have refused to leave because the expected destination is far away from their homes.

Issue 4: Detainees being moved at night for routine transfers including inter-Centre transfers

(page 14, paragraphs 64 – 67)

The Board recommends that night-time movements should be avoided except when men have to catch early or late flights or if a man is newly detained and needs a bed for the night.

Report

Required Areas

Diversity

1. The management and staff aim to respect everyone's individuality and encourage all detainees to do the same.
2. During a detainee's first few days in the Centre he lives in the Induction Wing. Here staff can introduce him to life at Brook House and check if he might have any difficulties with any aspects of being detained in an IRC including a wide variety of disabilities.
3. The layout of the Centre is not suitable for a man with limited mobility. Several rooms are fitted with showers to help but communal areas have to be accessed by stairs. If his disability is too severe a man may have to be moved to a more suitable IRC.
4. The Diversity Manager checks that all detainees are able to access all available facilities and join in the community that exists at Brook House.
5. Detainees work as Diversity Orderlies and do a very good job of meeting newly arrived detainees and helping them in their first hours and days in the Centre.
6. One Welfare Officer helps detainees with a wide variety of problems often associated with the physical impact of detention such as the effect upon their families and property issues. The Board would like to see another officer employed to assist in this vital area.
7. The Religious Affairs department is able to access support for men of all religions but there is an increasing problem with a lack of space in the Mosque. (See pages 10 – 11, paragraphs 29 – 32)
8. There are staff members from a large variety of ethnic minorities who work in the Centre and they are able to help with translation for detainees.
9. Celebrations and special meals are held to mark various cultural and religious events throughout the year. These are generally well received by all.
10. Detainees who undertake paid work in the kitchen can use their skills to advise upon regional dishes.

Detainee Consultative Meetings

11. Each month there is a meeting for detainees to contribute to the smooth running of the Centre. These meetings meet with varied success, much depending upon the interest generated amongst the population. The Board supports the Centre in its continued attempts to make these meetings work.

Activities (including Learning and skills)

12. The education and arts department has had a varied year. One member of staff was unwell for a lengthy period but we are pleased to report that he is now back at work. The recently appointed Arts and Crafts teacher has enthusiastically promoted the varied work of her department and had success with exhibits in the Koestler Awards display.

13. The cultural kitchen where detainees can cook meals and serve to friends is popular but not always used to its capacity. The kitchen was closed for a couple of months while extractor fans were installed. The occasional baking classes are very popular.

14. The IT equipment is generally well used but it was regrettable that Internet access was not available over the Christmas holiday when there were fewer other activities available and detainees may have wanted to contact their families.

15. The gym and library were relocated to make better use of the limited space available. Subsequently there were recurring problems with the air-conditioning in the gym.

Healthcare and Mental Health

16. The provision of health care has been taken over by G4S Integrated Services, a separate business stream of G4S. This has resulted in a number procedural changes which are intended to improve the service given to detainees.

17. The shortage of staff, reported last year, has continued throughout this reporting year. The prolonged use of agency staff is costly and cannot always give detainees the ideal continuity of care.

18. It is hoped that, in the near future, a full complement of staff will be in place and benefit those residents who require medical care.

19. The Board has previously voiced its concerns over the difficulty in obtaining appropriate care and treatment for detainees with psychological or behavioural problems. During this year there has been an improvement in the time taken to find suitable care in the community where necessary.

Safer Custody

20. The Centre is very watchful for men who may not be coping with detention or have problems that may cause them to self-harm. In such cases a team approach is taken to assist a man. The detainee is included in all discussions about his welfare.

21. During the last year more than one hundred men have been considered at such risk as to warrant being held on a constant watch.

22. It must be distressing for a man to be watched for twenty-four hours of each day and it must also be very difficult for a member of staff to undertake this duty.

23. There are detainees appointed as Safer Community Orderlies who assist the staff in this department to communicate and help men who may appreciate the chance to talk over their problems.

Care and Separation Unit

24. Eden Wing, which includes the Care and Separation Unit (CSU), has been altered.

25. Most of the rooms are now used for men who are about to leave the country. In effect, Eden Wing is a departure Wing.

26. The remaining six rooms, separated by a dividing wall and door, comprise CSU although these rooms can also be used for men on normal location.

27. Two rooms in the main part of Eden Wing are used for men who are considered to be a serious risk of self-harming and require constant supervision. The Board has previously stated that these rooms are not in an ideal location although it accepts that there are few other places in which they could be placed. However, the benefit of these rooms being in their present location is that, on occasions, it can help a man in distress to mix with other detainees to reduce the possible sense of isolation.

Statistics for Use of Removal from Association and Temporary Confinement

	2012/13	2011/12	2010/11	2009/10
Number of admissions to RFA (Rule 40)	752	644	1644	1442
Number of admissions to TC (Rule 42)	25	49	85	157
Number of times when force was used (Rule 41)	108	112	110	173

28. The Board was aware of an increase in the number of foreign-national prisoners arriving at Brook House in readiness for deportation at the end of their sentences. These men were routinely held under Rule 40 during this reporting year although this is no longer the case and they now reside on E Wing prior to their departures. The Board will expect to see a further reduction in the use of Rule 40 in the coming year.

Other Areas

Religious Affairs

29. There is a steady increase in the number of Muslims being detained at Brook House. On occasions this reaches 50% of the population and can be expected to increase.

30. Steps have been taken to enlarge the area available for Muslim detainees to attend Friday prayers. The corridor outside the mosque and the ablution room are occasionally used and the multi-faith room now has been linked by intercom with the Mosque.

31. The Board considers that it is not acceptable for men to have to use the ablution room or corridor to pray.

32. These modifications should only be a temporary solution and it is hoped that alterations can be made which will provide a larger area in which the Muslim population can pray.

Food

33. The food served is generally good and, sometimes very good. This does not prevent the detainees complaining. It must be understood that it may appear tedious when the menu is necessarily repeated on a regular basis.

34. Aramark, the catering providers, are receptive to menu suggestions from detainees and also serve especially themed menus based on the many different nationalities who live in Brook House. Detainees of several nationalities work in the kitchen and bring varied skills and cultural knowledge to the work.

Incentive Scheme

35. In our last report we commented upon the Incentive Scheme by which men are encouraged to behave in a considerate manner. The Board feels that this is still of benefit and helps the residents to live in a more tolerant and relaxed atmosphere. Should a man behave in an antisocial manner he will be denied certain privileges for a short period of time.

36. Without an incentive to live harmoniously it appeared that there was less respect for fellow citizens.

Roll Count

37. At lunch time and during the late afternoon detainees are asked to return to their rooms for up to thirty minutes for the roll count to be completed.

38. This system had been in operation when the Centre was first opened and its reintroduction has proved successful. Most detainees appreciate a short period of quiet and personal space in what, otherwise, can be a lively and noisy environment. It also enables the staff to attend to routine tasks without continuous detainee contact.

Complaints

39. There were slightly fewer complaints raised by detainees on matters other than their immigration status. See Annex A

40. Property, as in previous years, invites the largest proportion of complaints.

41. There have been several men who have submitted numerous complaints. It appears that this is a coping skill by which certain detainees manage their continued detention.

42. The Board has analysed the complaints to the Immigration Service (Annex A) and Applications to the IMB (Annex B) under the same criteria.

43. Complaints concerning a man's immigration status are not included in the first. The large number of IMB applications on this topic (35%) suggests that there may be a high number of complaints in this area.

44. The IMB does not have full access to the process for dealing with immigration complaints.

Home Office Immigration Office

45. The Immigration Office within the Centre has been short staffed for most of the year. In recent months the problem has grown and, despite the best efforts of staff, the detainees are not always seen as promptly as is desirable.

46. The Board is advised that more staff will be recruited in the near future.

Caseworker Contact with Detainees

47. Detainees who are most frustrated about progress with their cases often approach members of the Board to ask for assistance. Whilst we have to explain that our remit does not include a man's immigration status the Board wishes to comment upon the apparent unwillingness of the caseworkers to engage with the detainees in their caseloads. It would be helpful and more courteous if this could be improved.

48. The local immigration staff are always helpful to Board members when clarification is needed on a man's situation but they are not involved with detainees' cases.

The Movement of Detainees

49. This section is split into three sub-sections:

i) Charter flight standbys

50. The Board has previously reported upon the distress caused to men who are taken to the airport as standby passengers but then returned to an IRC some 12 to 15 hours later, often in the middle of the night. These standby places are deemed necessary to ensure that all available places on the charter flight are taken.

51. This happens when another detainee, who is scheduled to fly, is given a last minute reprieve. The Board understands that the problem could be resolved by a change in legislation so that a detainee has a deadline for appealing for Leave to Remain which expires before leaving the Centre.

52. We acknowledge that, since we first stated our concern over this procedure, these men are now advised that they are on standby and may not leave the country on this flight. This is an improvement but still unsatisfactory.

53. Most charter flights take off between 2300hrs and 0030hrs. The men pack up and leave their rooms and are discharged from Brook House. They are taken by coach to the airport (charter flights most frequently fly from Stansted.) For late night flights the pick-up time from the Centre is during the afternoon.

54. If these men are not required to fill the aeroplane they have to be returned to detention in an IRC, often Brook House. The returning coaches usually arrive between 0200hrs and 0600hrs. The detainees, sometimes as many as ten, then have to go through the reception process and given available beds. This also means waking another detainee as all the rooms in the Centre are shared.

55. These men on standby places are out of the Centre for 12 to 15 hours and most of this during the night. This causes immense physical and emotional distress.

56. On one occasion a detainee contacted his family in Pakistan who travelled 200 miles to meet him at the airport. Unfortunately he did not fly but he was unable to contact his family from the airport to tell them. Their journey was wasted.

57. On his return to Brook House this unfortunate man was then moved from the coach in order to relieve the chartered coach driver of his duties. He was transferred to a contractor's minibus where he had to wait until he was admitted to Brook House. This minibus was without heating and the outside temperature was in the region of -8 degrees Centigrade.

58. It is necessary to explain that detainees have to remain in the care of the escorts until the legal process of handover can be completed.

59. No more than three detainees can be taken through the reception process at one time. There are fewer staff on duty at night and the arrival of ten men between 0200hrs and 0600hrs means that some of these men must wait in the care of the TASCOR escorts.

60. To address this situation the Board understands that the Centre management now offers the use of a waiting room in which the TASCOR staff can supervise the men still in their care.

ii) Deportation to home locality

61. The Board has encountered several occasions when men have been returned to their own country but are left a great distance from their home and family.

Example 1: A man was booked on a flight to Tobago although his home was in Trinidad. A connecting flight is required to travel between these two islands which are

part of the same country. The man refused to fly as he could not afford the onward travel.

Example 2: A detainee was to be returned to China. He was scheduled to land in Shanghai which is more than 500 miles from his home. He did not have the funds to purchase onward travel. The second removal was booked to Beijing but this was still a vast distance for onward travel for which he had no funds. He refused to leave and his flight had to be rebooked.

Example 3: A Pakistani man was to be deported to Islamabad in Pakistan. His family travelled 200 miles to meet him, no doubt at considerable cost. He did not get on the aeroplane because he was on a standby place for a charter flight. He was not able to contact his family who made the wasted journey to meet him. He was understandably distressed.

62. The Board has been advised that limited funds are available to returnees on arrival in their home country to assist with their onward travel. None of these examples has resulted in this facility being used. In each case the man has been held for a further period in detention at considerable distress to the man involved and substantial cost to the UK taxpayer.

63. It would be helpful and more economical if the caseworker dealing with each case has sufficient knowledge of the location of a man's home and the authority to make comprehensive travel arrangements that will not result in a man failing to leave on a booked flight.

iii) Detainees being moved at night.

64. A certain number of movements are inevitable at night with flight departures either in the very late evening or early in the morning. Also men are taken into Home Office Immigration custody during the evening or night and are given beds in Brook House.

65. A number of men are returned from charter flights (See pages 12 – 13, paragraphs 50 – 60) Most charter flights leave in the very late evening and men who do not leave on a flight have to be returned to a Centre and often arrive between 0200hrs and 0600hrs. If the problem of stand-by places on charter flights can be resolved these would then cease.

66. However the Board has observed a considerable number of detainees being transferred between Brook House and other IRCs between 2100hrs and 0700hrs. It appears unnecessary and unkind to make these moves at night.

Arrival and Departure figures for March 2013

Total Arrivals for March	751	
All Arrivals between 2100hrs and 0700hrs	430	
Those from IRCs between 2100hrs and 0700hrs	72	17% of night time arrivals

Total Departures for March	747	
All Departures between 2100hrs and 0700hrs	192	
Those from IRCs between 2100hrs and 0700hrs	70	36% of night time departures

(Figures based on IMB analysis of statistics supplied by the contractor, G4S)

67. The Board understands that the contract between the Home Office and TASCOR (the escorting contractor) requires TASCOR to provide a 24 hour service and it may be that they are maximising their productivity by carrying out these night time transfers.

IMB Membership

68. The Board is short of members despite two recent recruitment campaigns. There are only five members out of a desired complement of twelve.

69. Board members are unable to monitor in any depth and have had to cancel a Board meeting as they were not quorate.

70. As happens in many other establishments, it may be appropriate for the Boards at Brook House and Tinsley House to merge. This would fit in well with the Home Office and the contractor as the two sites are managed as one by both organisations.

Annex A – Summary of Complaints to the Immigration Service

Code	Subject	2012/13	2011/12	2010/11	2009/10
A	Accommodation	38	46	52	n/a
C	Diversity related	14	12	0	n/a
D	Education/employment/activities	26	37	41	n/a
E	Family/Visits	4	9	12	n/a
F	Food	19	18	22	n/a
G	Health Related	23	19	37	n/a
H	Property	84	84	147	n/a
I	Concerning Immigration Status	Not included	Not included	Not included	n/a
J	Staff/detainee related	41	56	85	n/a
K	Transfers	1	1	0	n/a
L	Miscellaneous	2	7	16	n/a
	Total	252	289	412	337

All figures quoted are based on the IMB's analysis of statistics supplied by the Contractor, G4S.

Figures for 2009-2010 have not been broken down on this basis.

Annex B – Summary of Applications to IMB

Code	Subject	2012/13	2011/12	2010/11	2009/10
A	Accommodation	18	8	1	1
C	Diversity related	2	1	4	1
D	Education/employment/activities	4	7	2	1
E	Family/Visits	0	2	2	0
F	Food	8	12	2	0
G	Health Related	20	13	17	3
H	Property	12	16	16	15
I	Concerning Immigration Status	49	42	43	8
J	Staff/detainee related	9	14	17	16
K	Transfers	12	3	8	1
L	Miscellaneous	1	4		
	Matter settled or detainee no longer in Centre	6	5	13	7
	Total	141	127	125	53

Annex C – The Work of the IMB

Board Statistics	2012/13	2011/12	2010/11	2009/10
Recommended complement of Board Members	12	12	12	12
Number of members at start of reporting period	8	9	5	5
Number of members at the end of reporting period	5	8	9	5
Number of new members joining	2	1	5	1
Number of members leaving	5	2	1	1
Total number of Board meetings	11	12	12	9
Average no of attendances at Board meeting	6	6	6	4
No of attendances at meetings other than Board meetings	40	47	35	30
Total number of visits to the IRC including all meetings	220 approx.	246	191	183
Total number of applications received	141	127	125	53