



**Annual Report**

**of the**

**Independent Monitoring Board**

**for**

**Brook House**  
**Immigration Removal Centre**

**1 April 2010 to 31 March 2011**

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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 2011.

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. 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 ensure that 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. There is a separate IMB for Tinsley House.

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 2011

## 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 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 is a purpose built Immigration Removal Centre which was opened in 2009. It is built on a small site and is designed to hold 426 detainees in conditions very similar to those in a Category B Prison.

The Centre is built next to the main runway of Gatwick Airport. The noise of aeroplanes taking off and landing is sufficient to stop conversation when outside but the noise cannot be heard from anywhere inside the building.

The main contractor, G4S, provides the service for UK Border Agency.

There are four main Wings of double rooms each with a washbasin and screened-off lavatory. Each room has a wall-mounted television. The detainees do not have keys to their rooms but each man has a lockable cupboard for his personal possessions. There are table tennis and pool tables and some games consoles in the communal areas on each Wing and fixed tables and chairs where men may take their meals.

The men are locked within their rooms from 21.00 until 08.00 hours.

A smaller Wing exists on the ground floor and is certified to hold up to eighteen men in single rooms. Men are held here under rules 40 (Removal from Association) and 42 (Temporary Confinement) or when they are about to be deported and are considered likely to cause a disruption if allowed to stay on normal location.

There is a small Healthcare Centre, run by Saxonbrook Medical, a local provider of NHS facilities. There is 24 hour healthcare cover available.

The contract to provide the catering and cleaning and a modest shop for detainees is held by Aramark. A cultural kitchen is provided for men to cook their own food. This is supervised by Aramark in conjunction with a custody officer from G4S.

The limited facilities include a suite of computers with internet access and some fitness rooms. The library and education departments are provided and staffed within the G4S contract.

An officer is available to give welfare advice. Diversity and safer custody matters each have their own coordinator. These three areas give much needed support to detainees.

The Board considers that there is good religious provision with a Christian chapel, a Mosque and a multi-faith room.

One of the four small exercise yards has been converted into a garden.

Gatwick Detainee Welfare Group visits the Centre to give assistance in advice and personal effects to detainees and the Samaritans are gradually setting up support for detainees.

## Executive Summary

In its report following the announced inspection made in March 2010, HM Inspector for Prisons declared Brook House to be unsafe.

A few months before this a new Deputy Director was appointed. Along with the Director he is totally committed to providing a decent environment for detainees and staff and has introduced major changes. There are high expectations of staff which are, at times, difficult to meet but we believe the Centre now provides a much improved environment in which men are held prior to deportation. The limitations of space cannot be overcome but G4S have tried to utilise the facilities to the maximum to create opportunities for activities to occupy the detainees held within the Centre.

The staff have greater confidence in managing detainees and, generally, there is a mutual respect between officers and detainees. The amount of work that has gone into making these improvements should not be underestimated and the result is, generally, a more relaxed atmosphere. There are fewer confrontations between staff and detainees and, as a result, the number of assaults on staff by detainees has dropped to 22 from 69 last year. The underlying frustrations of continued detention, however, are never far from the surface.

Issues requiring a response:

**Issue 1: Length of stay at Brook House. (page 13, paragraphs 65-66 and page 11, paragraph 37)**

The building is designed to accommodate detainees for short periods. On 14 March 2011 there were twenty-seven detainees who had been held at Brook House for more than a year.

We are pleased to acknowledge the huge efforts made to improve the environment. This does not prevent us from raising again the unsuitability of the Centre for long-term residency.

**Issue 2: Length of time held in Detention. (page 13, paragraphs 63-64 and page 14, paragraph 72 and 73)**

There are several detainees resident at Brook House who have been in detention since 2006. It is hard to imagine the effect this will have on a young man who has not been able to live an ordinary life for nearly five years. The Board asks that priority is given to resolving the issues that cause men to be held in detention for long periods.

**Issue 3: Availability of screening for Tuberculosis if necessary. (page 8, paragraph 15)**

The Board wishes to be reassured that, in the event of a confirmed case of tuberculosis, screening for all staff and detainees will be immediately made available.

**Issue 4: Men held in the Removal from Association Wing before Deportation.**  
**(page 7, paragraph 10)**

Large numbers of detainees are held in the Removal from Association Wing prior to departure. These detainees should be able to address their resettlement needs but this is not possible from the confines of this unit.

**Issue 5: Waiting times before deportation and standby places for charters.**  
**(page 12, paragraphs 53-59)**

At a time of high personal stress, men are kept waiting for many hours in waiting rooms, on coaches and at airports, sometimes only to be returned to detention.

## Report

### General Accommodation

1. Someone returning to the Centre now would notice a huge difference from this time last year. The Centre is brighter, calmer and better equipped. The management has worked hard to improve conditions in Brook House.
2. Efforts have been made to soften the atmosphere throughout and paintings from the closed Oakington IRC have been successfully placed around the Centre.
3. We are pleased to note that the original televisions have now been replaced with flat screen televisions mounted on the wall of each room at a convenient height.
4. We frequently hear comments from detainees about the discomfort felt because of the air-conditioning and it does feel very dry throughout the building. We are advised that nothing can be done to improve this. There is a general acceptance of this difficulty and men say that, after about a week, they acclimatise themselves but it is an extra difficulty for them to face.
5. A monthly Detainee Consultative meeting is held to involve those detainees who wish to have a voice in the running of the Centre. Generally this is of benefit to all and helps to promote a sense of inclusivity.

### Separation and Care Unit – Removal from Association and Temporary Confinement (RFA & TC)

6. Board members monitor detainees held on this Wing more closely than in other areas of the Centre.
7. This small Wing has eighteen single rooms which can be used for either Rule 40 (Removal from Association) or Rule 42 (Temporary Confinement).
8. The Centre is in the process of introducing an Incentive Scheme whereby the detainees can be rewarded by better facilities for contributing to the smooth running of life in the Centre. Should men behave in an unacceptable manner they face penalties.
9. At present, when a man is non-compliant, he is placed in RFA for a short period of time. However, change to the system is imminent and, during the next year, these men will be placed on a basic regime within the main Wings while they have the opportunity to address their problems. The Board will welcome this change and expect the use of Rules 40 (RFA) and 42(TC) to drop dramatically.
10. Many men are unhappy when given their Removal Directions (which inform them of their imminent departures from this country). When intelligence suggests there is a possibility of disruptive behaviour from a

detainee which would threaten the smooth running of the Centre, he will be placed in the Unit for a period, usually just one day. The Board is unhappy that these men are denied use of the general facilities in the Centre, especially access to computers and fax machines which they may need if trying to sort out their affairs. However we accept that the risk of disruption makes some action necessary. We urge the management to continue to find ways of easing this problem which has contributed significantly to the high use of this Wing.

11. As the Healthcare Centre is so small there are times when men with health problems have to be held in this Wing and cared for by custody officers with frequent input from the nurses. (Please see Section on Healthcare, paragraph 13).

12. At times of unrest and difficulty the staff need to, and do, use the utmost in professionalism to cope with refractory behaviour.

Statistics for Use of Removal from Association and Temporary Confinement.

	2010 - 2011	2009 - 2010
Number of admissions to RFA (Rule 40)	1644	1442
Number of admissions to TC Rule 42	85	157
Number of times when force was used Rule 41	110	173

Healthcare

13. The healthcare department is quite small. It appears to run smoothly but, when a detainee falls ill and needs more attention than is available on a main Wing, he will be placed in the Removal from Association Wing. The staff there look after the men very well and the healthcare staff visit the unit frequently to give treatment. However, the Board is concerned that this is not the best way to look after these men and, in the case of possible infectious illness, whether staff are put in unacceptable risk.

14. There is some concern at the large increase in applications to see the IMB that concern Healthcare. Most seem to be in connection with medical problems about which we have no information, as they are confidential between the doctor and patient.

15. There have been two cases of detainees with suspected tuberculosis being held in isolation. The Board asks if the necessary screening is readily available to staff and detainees in the Centre should a case prove positive.

16. In cases of men with mental health problems the Board understands that it has become more difficult to find NHS Primary Care Trusts who are willing to accept patients into care.

17. If a man is too ill to be cared for within Brook House he has to be transferred to IRC Harmondsworth where there is a full inpatient facility. This Centre is over forty miles away.

18. Acute cases and men with injuries requiring hospital treatment are taken to the local NHS hospital.

### Safer Custody

19. Extra care has been offered to some 260 detainees during the year who were considered to be at risk of harming themselves. The systems in place provide extra support at times when men are feeling desperate and at risk of self-harm. The introduction of Safer Custody Orderlies, who are recruited from the general population of the Centre, has raised the level of care within the Centre. This has been a great help in improving the safety of detainees.

20. The Safer Custody Coordinator has excellent knowledge of each person who is at risk.

21. On some occasions men are kept on constant watch if it is feared that they are in greater danger of damaging themselves. These men are held in the Removal from Association Wing and place a considerable strain on the staff especially at times when the Wing is very busy. The Board believes that those men in such distress are cared for as well as possible within the confines of the IRC but that the surroundings in which they are kept are not always as peaceful and quiet as may be needed at such difficult times.

22. During the year there were 33 men for whom a constant watch was deemed necessary compared with 60 last year. The Board considers this reduction to be indicative of the good care available to men at risk.

23. The planned introduction of an Induction Wing will bring benefits to this area.

### Diversity & Race Relations

24. The Race Relations and Diversity Coordinator has made huge progress in setting up her department. She will, rightly, challenge any decisions that may impinge on respect for different cultures. The Centre is addressing the needs of men in matters of race, disability and all other areas as they arrive. It is to be noted that detainees are, on most occasions, greeted shortly after arrival by a diversity orderly, who is another detainee. This is of great benefit and gives much needed reassurance to men when they arrive.

25. The planned introduction of an Induction Wing will also bring benefits to this area.

### Welfare

26. There is also a very busy Welfare Office where one officer is available to help men with their many and diverse welfare needs. This department makes an effort to address the resettlement needs of detainees but greater resources could be made available to help men prepare for their return to their home country. In many cases men are deported while their families remain in the UK. One can only imagine the demands this places on all family members.

### Religious Affairs

27. A new Head of Religious Affairs was appointed early in our reporting year. He is very committed to his work. He and his team of visiting Chaplains cover the many faiths represented in the transient population of the Centre.

28. The Board understands that a visiting minister can be found for a man of any faith who might arrive at the Centre.

29. There are frequent services for the different faiths and, from time to time, there are very lively sessions for detainees to discuss and celebrate their faiths.

30. It was a pleasure to attend the Carol Service held in the Visits Room shortly before Christmas.

### Catering and Kitchens

31. There are relatively few complaints about food considering the diversity of cultures represented at the Centre. Detainees are offered breakfast and two cooked meals each day. A number of detainees work in the kitchen to assist in the preparation of meals.

32. With help from detainees there are, from time to time, special dishes served to celebrate different nationalities e.g. the Chinese New Year.

33. Muslim detainees observing Ramadan are provided with heated food trays which are issued in the early evening. These will keep the food at the correct temperature until after sunset.

34. The contractors, Aramark, continually strive to vary the menu to suit the many cultural tastes of the residents. With rising food prices and a limited budget this is a considerable challenge.

35. IMB members sample the food when visiting the Wings and, generally, we find the food tasty and acceptable.

36. There is a small shop which holds a range of provisions for detainees. This is operated within the cashless society of the Centre.

#### Activities (including Learning and Skills)

37. It is not possible to provide sufficient activity for 426 men within the Centre as it stands. Every area is fully utilised. If detainees were resident for only a few days this would not be as important. However, with men held for weeks, months or more than a year this can lead to frustrations.

38. **Basic Education and Arts and Crafts.** The teachers in the two education rooms are very enthusiastic and attract a fair number of students.

39. Basic English is popular but there are occasional requests for more advanced education than is available. These needs are not met.

40. Some excellent artwork created by detainees has been used to decorate the Centre.

41. **Paid work.** The contractor has endeavored to introduce as much paid work as possible for the detainees. This year there are 75 paid positions available compared with 60 at this time last year.

42. **Cultural Kitchen.** A Cultural Kitchen has been created where two men at a time can cook meals to which they can invite fellow detainees to share with them. This is a well-used facility and gives detainees a great sense of satisfaction. The catering contractor, Aramark, supervises this facility along with a custody officer from G4S.

43. **Physical Activity.** Unless the weather is inclement there are frequent volleyball, football or cricket matches taking place in the exercise yards. These are well supported. The fitness rooms are also popular and well used.

44. One, previously tarmac covered, exercise yard was converted into a garden. This was so well used that it has had to be closed for a period so that the grass could recover. This prompts one to ask whether more exercise yards should be converted but they are well used as sports pitches and there is no other area available. There is a huge need for a sports hall such as in IRC Colnbrook and other Centres.

45. **Wing Competitions.** Bingo, Jenga and domino competitions are always popular on the Wings and small prizes of cash credited to a man's account are appreciated by the detainees

46. **Internet Facilities and Library.** The Internet Rooms are well used, as is the Library. Internet sites accessed by the men are carefully monitored and, if deemed inappropriate, are blocked by the management and/or UK Border Agency. This causes considerable angst among the detainees. The Board is satisfied that these measures are necessary.

47. **Cultural Activities.** An All Nations' Day was held in the summer and culminated in some exciting cricket and football matches and a barbecue. It was well received by detainees and staff.

48. Other events are held to celebrate different national festivals.

#### Reception and Discharge including Charter flights

49. The reception area where detainees must wait upon arrival has been much improved with the introduction of soft easy chairs, a coffee table and some paintings from the closed IRC Oakington.

50. The Board has asked if the discharge waiting rooms can also be made more comfortable with, at least, a table from which the men can eat their meals. This is proving more difficult because of the possibility that men may become non-compliant in this area as they do not wish to be deported. Safety must take priority.

51. An analysis of where men go when discharged from the Centre showed figures similar to last year. See Annex A

52. The Board still has concerns that men are moved in or out of the Centre during the night.

53. There have been occasions when men have been taken by coach in the early evening to the airport to leave on a chartered flight. It is understood that more men than there are seats available are always taken to the airport in case some men are allowed, at the very last minute, to remain in the UK due to the issue of an injunction. This means that a number of men do not board the flight and have to be returned to a Centre (not always the one they have just left) and on occasions these men arrive in the early hours of the morning.

54. It must be remembered that these men will have been waiting most of the previous day in a Discharge Waiting room. Then, at three or four o'clock in the morning, the receiving Centre staff have to find beds for these men. As the rooms are all shared this also means waking the occupant of that room. On some occasions it has even been necessary to wake a man and ask him to move rooms. This could be because the man arriving is either a smoker or non-smoker and, therefore, they are unable to share a room.

55. For reasons of economy this practice is understandable but it is hardly decent for a man to spend, perhaps, twenty-three hours waiting and travelling miles by coach for the possibility of being deported. In the end he may well arrive at a different Centre and have to start the whole procedure of settling in and contacting his family to tell them where he is now detained.

56. Board members have spoken with these men and the despair, stress and bewilderment is all too clear to see.

57. The number of charter flights has increased. On average there is one each week. The system for processing the men through the departure system is satisfactory but the Board still has concerns about the length of time men have to wait either in the Centre or on the coach. All these times will be on top of any period of waiting at the airport.

58. Such a situation was exacerbated when flights were delayed because of the extreme weather in December and January. Detainees were moved to a small waiting room before the rest of the population was unlocked i.e. before 08.00hrs. The flight was scheduled for take-off at about 03.00hrs the next morning but was cancelled because of fog. After waiting all day the men had to return to their rooms for the night. Then they had to wait another day in the waiting room.

59. As well as food and drinks, the Board was advised that the detainees were given the chance of having time in the open air during these very long waits.

#### Forthcoming Introduction of an Induction Wing

60. Plans are well advanced for the smallest of the four main Wings to be made the Induction Wing.

61. Newly arrived detainees will stay on this Wing for a few days while they learn about life at Brook House and, importantly, while their needs can be assessed so that they can safely join the population in the rest of the Centre.

62. The Board is confident that this will have a big impact on the smooth and safe running of the Centre especially in areas such as Safer Custody and Diversity.

#### Length of stay within the Immigration Removal Estate and at Brook House.

63. The greatest frustration for detainees is, by far, the unknown length of stay in detention.

64. Sentenced prisoners know, in most cases, how long they will be incarcerated but the situation for detainees is far from clear. Whilst there are some who put obstacles in the way there are considerable numbers who just wish to return as quickly as possible. It is exasperating for them and for us that these cases cannot be processed more quickly.

65. On 14 March 2011 there were 27 men who had been resident in Brook House for more than a year.

66. Following a recommendation from HM Inspector, each man who is held at Brook House for more than three months is asked if he would like to move to another Centre. Whilst this appears to be a good initiative it is of little benefit to detainees. After three months, most men have settled into the routine and made arrangements for family visits and another disruption is not

welcome. They will have also acclimatised themselves to many hours of each day doing very little. To the credit of the Centre very few choose to move.

### Complaints

67. The system for complaints appears very long-winded. The forms are collected by UK Border Agency staff and sent to the Detention Services Complaints Department in Croydon where they are sifted. Most are then returned to Brook House to the contractor who can start to deal with them.

68. There were over 400 complaints during the last year compared with 337 in the previous year. This increase appears to correspond with the increase in Applications to see the IMB. Reasons for complaint are shown in Annex B.

69. The principle topic of concern is detainees' property which accounted for 36% of complaints passed to the contractor. It is always an emotive area.

70. It is apparent that a few detainees submit multiple complaints. Analysis by the IMB shows that 12% of complaints were submitted by just five of more than 4500 detainees who have been held in the Centre during our reporting year.

### Applications to the IMB

71. The number of applications to speak with the IMB has risen quite sharply. We believe this is because we have raised our profile within the Centre and because a larger proportion of detainees are ex-Foreign National Prisoners who are already familiar with the work of the IMB. The average ex-FNP population has been 71% but for several months these men made up 82% of the population.

72. Just over one third of applications to see the IMB are concerned with detainees' problems with their immigration status. We have to explain that it is not within our remit to help them in this area. However, invariably, we approach the UK Border Agency staff in the Centre who are most helpful in giving us information about each man's situation. Then we can pass any available news to the detainee.

73. This is by far the greatest concern for detainees and we must again comment upon this and urge the minister to introduce further measures to speed up the deportation process or the release of detainees who are granted bail or temporary admission. The Board is aware that many detainees are trying to gain admission to the UK but this process often seems very protracted. We acknowledge that there are also men who will use any obstacle to prevent removal and this will prolong their detention.

74. Other reasons for application are shown in Annex C.

## Staff

75. The heavy snow in December created problems for staff getting to and from work. Some had no choice but to stay in the Centre overnight. The airport authority placed priority on clearing the runways and, as a result, the roads were left impassable. The IMB members were not able to get to the Centre to show support for staff and detainees during this difficult time.

## IMB Membership

76. Since the end of 2010 the Board membership has comprised only women. With a population of over 400 men in the Centre this is not satisfactory.

77. It appears to the Board that equality legislation is making it harder to recruit members of a certain gender who would help to create a balanced and diverse Board.

78. Most members live a considerable distance from the Centre and face a journey in excess of forty minutes each way. As a result a rapid response to any incident is unlikely.

Annex A – Destination of detainees who leave the Centre.

<b>Destination</b>	<b>2010/2011</b>	<b>2009/2010</b>
Left the country	59%	57%
Released	19%	21%
Transfer to another IRC	20%	16%
Taken to prison or police custody	2%	6%

These figures are compiled by the IMB from the G4S database.

## Annex B – Summary of complaints to Contractor

<b>Code</b>	<b>Subject</b>	<b>2010/2011</b>	<b>2009/2010</b>
A	Accommodation	52	n/a
C	Diversity related	0	n/a
D	Education/employment/activities	41	n/a
E	Family/Visits	12	n/a
F	Food	22	n/a
G	Health Related	37	n/a
H	Property	147	n/a
I	Concerning Immigration Status	Not included	n/a
J	Staff/detainee related	85	n/a
K	Transfers	0	n/a
L	Miscellaneous	16	n/a
	Total	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 C – Summary of applications to IMB

<b>Code</b>	<b>Subject</b>	<b>2010/2011</b>	<b>2009/2010</b>
A	Accommodation	1	1
C	Diversity related	4	1
D	Education/employment/activities	2	1
E	Family/Visits	2	0
F	Food	2	0
G	Health Related	17	3
H	Property	16	15
I	Concerning Immigration Status	43	8
J	Staff/detainee related	17	16
K	Transfers	8	1
L	Miscellaneous	13	7
	Total	125	53

## Annex D – The work of the IMB

<b>Board Statistics</b>	<b>2010/2011</b>	<b>2009/2010</b>
Recommended complement of Board Members	12	12
Number of members at start of reporting period	5	5
Number of members at the end of reporting period	9	5
Number of new members joining	5	1
Number of members leaving	1	1
Total number of Board meetings	12	9
Average no of attendances at Board meeting	6	4
No of attendances at meetings other than Board meetings	35	30
Total number of visits to the IRC including all meetings	191	183
Total number of applications received	125	53