



Dungavel House Immigration Removal Centre
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Independent Monitoring Board

ANNUAL REPORT 2011



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1. Introduction

The Annual Report is furnished to the Minister for Immigration by The Independent Monitoring Board of Dungavel House Immigration removal centre in accordance with Rule 64(1) of the Detention Centre Rules 2001, and relates to the state of the Centre and its administration including suggestions and recommendation which members consider appropriate. It covers the period from 01 January 2011 – 31 December 2011.

Diagrams and statistics are not included, in the view that they are best supplied by UKBA, should that be necessary.

The report is, however, submitted in good faith and without prejudice as the findings of Independent Monitors visiting the Centre on a daily basis, in a voluntary capacity.

2. Executive Summary

1. The most noteworthy matter of interest occurring during the year was the change of appointed contractor on 24 September, when GEO Group UK Ltd, took over the operation and administration of the Centre from G4S Security services, for a contract period of 5 years.

The Board are pleased to report that the Management of both Companies completed the task in a highly professional manner, resulting in a seamless transition of duties from one contractor to the other.

In this regard, UKBA staff continued their particular work efficiently and effectively with a constructively flexible approach towards any procedures which became necessary, thus assuring a completely successful outcome.

2. Board Members also wish to record their admiration and warmest commendation for staff who kept the Centre operational during the worst weather experienced in Scotland for many years, both in the early and late months of 2011

Despite police warnings not to travel and the suspension of all public transport, staff attended under immense difficulties and maintained the care and welfare of detainees throughout these emergencies.

3. Additional initiative in the Centre's regime, designed to prevent boredom and offer opportunity of useful and interesting employment has been developed by the Contractor in the erection of a substantial nursery-style poly house for the growing of fruit, vegetables and flowers. This is an exciting project which the Board welcomes.

3. Location and Background

Dungavel House IRC is the only removal centre in Scotland. It is situated near Strathaven, South Lanarkshire within 35/40 minutes travel time from Edinburgh, Prestwick and Glasgow Airports.

Close to the A71 (Ayr-Edinburgh) and the M74 (England-Scotland), there is ready access to all the major towns in the Central Belt of Scotland.

Built originally as a hunting lodge and country residence by the Duke of Hamilton, it saw service as a Naval Hospital during two world wars and became, in turn, a care home for the Church of Scotland, a Training College for the National Coal Board and a Class C prison housing 135 prisoners until it was vacated by the Scottish Prison Service in 2000.

Substantial alterations were under taken by the Home Office and the premises were commissioned for use as a detention centre on 31st September 2011, and are presently managed by the GEO Group UK Ltd on behalf of UKBA.

4. Accommodation and Hygiene, (Rules 15 and 16)

The accommodation at Dungavel continues to meet all the requirements of the legislation necessary to the comfort, health and safety of detainees, as does the appropriate hygiene and toilet facilities provided.

Disabled persons are able to be housed in a specially equipped room in which three inmates can be slept.

Detainees are housed in various units or houses, and the number of bed-spaces in each is as follows:

<u>MAIN HOUSE (Dormitory style)</u>	<u>Gender</u>	<u>Spaces</u>
Middle and top floors	Male	83 bed spaces
Middle floor	Female	14 bed spaces
<u>LOUDOUN HOUSE</u>		
One floor	Male	70 bed spaces
<u>HAMILTON HOUSE</u>		
2 floors	Male	44 bed spaces
<u>CLYDE HOUSE</u>		
On one floor	Was family now male	6 bed spaces
<u>TOTAL AVAILABILITY</u>		217 BED SPACES

En-suite facilities are provided in Loudon House, Hamilton House and Clyde House, with television and telephone in each room.

Adequate laundry rooms are available for use at any time.

Fresh towels and bed linen are changed or provided as often as requested or required.

The Board are pleased to confirm that the contractor has continued to maintain and refurbish all residential areas in a rolling programme of maintenance which ensures the constant comfort of detainees.

Since the Ministerial decision was made not to detain children in the Centre, Clyde House is currently being converted into a new unit with increased accommodation for separate fit for purpose Reception and Healthcare departments in response to recommendations made by HMCIP during the inspection of 2010.

5. Clothing and Food (Rules 12, 13 and 14)

There is little doubt that the satisfaction of detainees with the conditions in which they are held is strongly enhanced by the reliable service of acceptable food.

In this regard the Board are greatly impressed by the painstaking efforts of the contractor in delivering consistent quality, variety and quantity to detainees at each meal.

Fish meat and pastas are served frequently, as recommended by the Food Standards Agency, together with vegetables and fruit always available.

In meeting the requirements of cultural dietary needs, the contractor continues to operate a separate Cultural Kitchen in which detainees are encouraged to prepare and cook their own meals with others of similar tastes or ethnic background.

There are three sessions daily –morning, afternoon and evening-with sufficient supply of fresh meat, fish and vegetables to serve at every session.

This promotes diversity, communal interest and understanding between detainees in a most effective enterprise, and the Board commends the contractor's initiative.

In addition to the catering provided during the day, snacks are provided for consumption during the night with toasters, microwaves and brevilles available throughout the night.

6. Regime (Rules 17, 18 and 19)

The importance of a wide-ranging regime in which detainees can engage cannot be over emphasised and it is pleasing to record that the contractor ensures that every opportunity is taken to reduce the possibility of boredom during an individual's stay at Dungavel.

Educational subjects available include language, computer and I.T. familiarisation, as well as drawing, painting, cookery and sewing, and all are taught by capable instructors.

A comfortable library contains books on legal and religious subjects, as well as modern fiction.

Any particular secular or religious book will be sourced and provided on request. Daily newspapers as well as language newspapers are always on display.

Sport activities are programmed daily in order to give the largest number possible participation in each event. Bad weather can, of course, alter programmes, but arrangements are then made to increase the uptake for indoor rather than outdoor activities.

Football remains the most popular pursuit for detainees, and the investment by Home Office in the all-weather football pitch is amply repaid by the enjoyment of its use. Competition between houses is well supported and a game between staff and detainees is always welcome as further entertainment which must not be missed.

Snooker is played by almost all detainees on one of many tables placed at different locations throughout the centre, and its popularity is closely followed by Bingo, which is played at least 3 or 4 times a week, both in the evening and at weekends. Karaoke and suitable discos take place at least once a week, when detainees are allowed to have their own disc-jockeys playing the music of their choice.

Every detainee is given the opportunity to undertake paid employment within the centre, and these cover gardening and tidying the grounds, keeping dining rooms and association rooms comfortable and encouraging others to keep living quarters well presented.

The most recent initiative by the management is the erection of a large poly-tunnel in which it is intended to employ suitable inmates on the growing of flowers, fruits and vegetables for use in the Centre's kitchen. It is a substantial structure measuring 40 feet long, 20 feet wide and 12 feet high, enabling the growing of items either vertically or at ground level, and all at the same time. In this way the production of different varieties of tomatoes, vegetables and salad greens is made possible over the major portion of the year. Inmates who are interested in taking up employment in this venture will have every assistance from skilled nursery gardeners in gaining an experience which may prove of value to them in the future.

The socialising atmosphere of the café/shop continues to play an important role in the Centre's regime, providing a socialising and relaxing atmosphere which is much appreciated by inmates, and the opportunity to purchase SIM cards and a wide variety of goods at discount prices is also welcomed.

7. Religion and Religious Affairs (Rules 20-25)

The board confirms that full account of the diverse cultural and religious background of detainees is taken by the contractor. Arrangements are in place for the detainee to meet his/her minister of religion after admission, provided that is their wish. Similarly, arrangements are in place for visit by a minister of religion to any sick inmate or person in confinement or removal from association who so wishes.

Regular visits are made by ministers of the main religions serving the main groups of adherents, but minor or relatively obscure religions are given equal prominence when such a need occurs.

The chapel is designated as the main multi faith centre for large groups, but a number of multi faith prayer rooms are situated in each of the buildings for the convenience of individuals.

Books relating to different religious persuasions are on offer in these locations. Religious holidays and feast days are carefully observed and fully supported by management and staff.

The department continued its involvement with the training of new staff, so that they reached the required knowledge and understanding of cultural awareness and race relations policies. Similar refresher training is also conducted for existing staff on the same subjects.

8. Communications (Rules 26-32)

Communications with others out with the centre is of vital importance to detainees, and every possible assistance is given to each detainee as his /her need requires.

The Welfare Officer encourages contact with friends, next of kin and lawyers by use of the free mobile phones supplied by the contractor. Telephone cards are made available at the café/shop, while B.T. public telephones are situated at various points throughout the centre for those who wish to use this form of communication.

Friends or relatives are free to visit on as many occasions as the inmate wishes and are conducted in the comfortable and well-furnished Visits Room which is also used by solicitors to meet and council clients on their position under immigration law. Fax and copying machines are available to contact Embassies or consuls as required.

The welfare officer also acts as an important bridge of communication for inmates on questions of every kind, including contact with other IRC's on property belonging to them, as well as money or articles still held by prisons or police, and this has proved very satisfactory to those concerned.

To facilitate visits, the Contractor operates a free bus service to and from Hamilton bus/railway station. The service runs 4 times daily throughout visiting hours which are 13.30 to 20.30.

9. Health Care (Rules 33-37)

This department operates under the Home Office Detention Services Orders Operating Standards for Immigration Removal Centres which are designed to build on the Detention Centre Rules and underpin the arrangements the Home Office have for the management of removal centres within the U.K. The board confirms that these are fully met at Dungavel House, over 24 hours daily.

Health Care work is contracted out to Primecare Forensic Medical and the nursing staffs are employed by Nestor Primecare Ltd.

Nursing staff includes 6 registered nurses and 3 registered Mental Nurses, with 3 Medical Officers qualified as General Practitioners who practice locally. Psychiatric clinics are held every fortnight and dental and optical treatment is available weekly.

An excellent relationship has been developed with Lanarkshire N.H.S., Lanarkshire Social Services and Lanarkshire Public Health Departments for the provision of particular healthcare needs, such as communicable diseases, torture claims and suicidal claims or tendencies.

It is noteworthy that enlarged premises are presently under construction for use by Healthcare and this will benefit both staff and detainees by giving much improved conditions for nursing practice and counselling of individuals.

10. Requests and Complaints (Rule 38)

The main body of oral requests continues to be for transfer to an IRC in England, so that visit from friends and relatives are readily available. This is not so evident with single men who are generally perfectly happy with conditions at Dungavel.

UKBA management are however ready to consider for transfer on a weekly list basis, as appropriate to best cases made by detainees.

Detention Services Orders, 2006 sets out the procedure necessary to the investigation and resolution of complaints. This is closely followed by UKBA and the Board confirms the effectiveness and efficiency of any action taken by the Detention Services Complaints Clerk. It is also pleasing to report that written complaints by detainees at Dungavel, number an average of 2 per month over the year. These mainly relate to property allegedly stolen, missing or lost and all issues raised are speedily resolved in each case.

11. Safety and Security (Rules 39-43)

Conditions of safety and security are given the highest priority by management and staff at the Centre, and relate equally to detainees and the operational physical security of the complex as a whole.

The relaxed and secure ethos of the institution is wholly attributable to the skill and watchfulness of the staff, bolstered by the daily examination of information which counters the early formation of threatening groups or factions by implementing any necessary action immediately.

In addition, there is a monthly meeting with the contractor and UKBA management attending, when many questions affecting the situation are fully reviewed and classified for action according to perceived risk factors.

12. Independent Monitoring Board (Part VI D.C Rules)

The board at Dungavel operates to the legislation set down for the monitoring of the Centre, and its business is conducted by way of its Constitution and Standing Orders.

Board meetings are held each calendar month when members are joined by the Contract Director and the Contract Monitor, for a full review of related matters affecting the Centre. Each member is also allotted a week, in rota, for duty visit.

There are 6 members in the Board, including the Chair and Vice Chair, and this number is considered sufficient to maintain appropriate duties and interest.

The role and function of the Board is carried out voluntarily by members without payment, and the operational work of monitoring is under taken on a day-to-day basis in the public interest. They believe that their work enhances the credibility of the Centre as a safe and secure environment, and feel justified in the success of their duties by the respect accorded them by members of both Houses of Parliament, on frequent occasions in the past.

It is absolutely essential that the independent operation of the Board is fully respected by the general public and that other agencies or bodies confine themselves to acting strictly within the compass of their own particular roles, so that any encroachment or perception of operational oversight is completely avoided. It should be added however, that interference has never occurred at any time by the Contractor or UKBA.

13. Comments and Recommendations

13.1 Serious Non – Compliance

The board has always maintained that the containment of seriously disruptive and badly behaved detainees is essential to the safety and security of any institution and its inmates, but it is even more essential within the relaxed environment offered by a well ordered detention centre. It is with pleasure that the Board records the ready cooperation of the Removals Director Mr Alan Kittle, to find placement in more suitable establishments for individuals disturbing the balance and control of the Detention Estate.

In the event of serious incidents occurring, the Dungavel IMB Standing Orders are integrated with the Serious Incident Programme for the Centre, and all members are aware of the action they are required to take.

13.2 Assisted Voluntary Return Programme

The Board urges the Minister to place the strongest support for all three voluntary return programmes available to illegal immigrants, thus ensuring a rapid and efficient outcome to their removal by the allocation of appropriate funds.

Board members are convinced that this offers the best value for money and in their discussions with detainees, advise that this course of action is the best available to those whose removal directions have not yet been set. Refugee Action operate the administrative arrangements on behalf of UKBA, and visits are made weekly from Glasgow Office by their representatives.

F.R.S. remains the programme for people who have been transferred from prison for removal, and this scheme is operated by the F.R.S. Unit of UKBA. The Minister is urged to cause more effort to be made to have illegal prisoners deliberately targeted at the earliest date in prison custody in relation to the benefits that F.R.S. has to offer them. This includes half the sentence, and gives a double bonus by reducing the prison numbers while increasing the numbers removed from the country at the same time.

13.3 Legal Representation

Detainees at Dungavel are particularly fortunate to have the opportunity of services in their legal requirements under immigration law from twelve companies who attend the centre regularly.

Funds for these services are provided by the Scottish Legal Aid Board, from the public purse, and it is recommended that critical scrutiny be focussed on claims for payment made by solicitors.

In this regard, payment should be strictly related to how well the work and services has been completed by the claimant. Where examination shows that work later pursued by another solicitor has not been properly addressed by the first solicitor, consideration of appropriate action for failure to meet due diligence should be taken.

It should be emphasised that most solicitors act in a wholly professional and honourable manner, but touting for clients and other wholly unprofessional behaviour completely undermines the best delivery of Legal Services by other solicitors practising in the Centre.

This is not acceptable, and joint action by the Legal Aid Board and the Scottish Law Society is recommended for the maintenance of appropriate standards.

14. Formal Confirmation (Rule 64)

This report has followed a format of appraising the duties and responsibilities of a Visiting Committee as set out in the Detention Centre Rules 2001. It also highlights those aspects of the day to day requirements within a relaxed custodial establishment as set out in Immigration legislation.

Finally the Board is pleased to confirm that in the period under review the premises at Dungavel House Immigration Removal centre have been maintained in a satisfactory manner, and that persons who are detained there are treated with care, consideration and humanity.