



INDEPENDENT MONITORING BOARD

ANNUAL REPORT 2013

Dungavel House Immigration Removal Centre

Dungavel House Immigration Removal Centre

Independent Monitoring Board

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1. **INTRODUCTION**

- 1.1 This annual report is prepared for the information of the Minister for Immigration by the Independent Monitoring Board of Dungavel House Immigration Removal Centre, Scotland.
- 1.2 It is prepared in accordance with Rule 64(1) of the Detention Centre Rules 2001 and relates specifically to the state of the centre and its administration, including suggestions and recommendations that members consider appropriate.
- 1.3 This report covers the period of 1st January 2013 – 31st December 2013. It follows a format of appraisal and findings by board members on the performance of duties and responsibilities required by the Detention Centre Rules for the successful function of a custodial establishment operating within Immigration Law.

2. Executive Summary

- 2.1 The extremely adverse weather which affected the last weeks of 2012, continued with further intensity into January and February of 2013, when the weather experienced was last seen in Scotland, 40 years ago.
- 2.2 It was, however, these exceptional circumstances which amply displayed the many strengths of character and determination made by the workforce to keep the centre fully operational. In this regard, it should be noted that staff attended for work in the most dangerous and risky travel conditions, deliberately ignoring Police warnings not to travel in such weather.
- 2.3 It was, however, this selfless determination which ensured that the centre remained open for business 24/7, providing 4 hot meals daily, in a warm, comfortable establishment despite all the difficulties encountered. Their performance is worthy of the highest possible recommendation and board members feel privileged to be associated with such a splendidly committed workforce.

3. Location and Background

- 3.1 Dungavel Immigration Removal Centre is situated in the Southern Uplands of Scotland, close to the small town of Strathaven, South Lanarkshire, and is the only Removal Centre in Scotland.
- 3.2 Although located in rural surroundings, the Centre is well placed to take advantage of its close proximity to the A71 (Ayr – Edinburgh Rd) and the M74 (Scotland – England) motorway, allowing access to all the major cities, including Glasgow, Edinburgh and Prestwick airports, within 40 minutes travel time.
- 3.3 The present building was built by the Dukes of Hamilton as a hunting lodge, and saw service in both World Wars as a Naval Hospital, before becoming, in turn, a care home for seriously injured veterans, a Coal Board Training College and finally a Class “C” prison, closing in 2000, when the premises passed to the Home Office.
- 3.4 Following extensive refurbishment, the buildings and its 40 acre estate were commissioned as an Immigration Removal Centre, opening on 3rd September 2001. The Home Office have presently contracted its care and operation to GEO UK Ltd.

4. Accommodation and Hygiene (Rules 15 and 16)

4.1 Immigration Legislation requires every establishment responsible for the custody of illegal immigrants to ensure their care, comfort, safety and hygiene at all times, with special regard for disabled persons, where necessary.

4.2 Accommodation at Dungavel is met by different units or houses, each with its own complement of bed spaces, as follows:

	<u>Gender</u>	<u>Bed Spaces</u>
Main House	Male	89
	Female	14
Hamilton House	Male	44
Loudoun House	Male	<u>102</u>
	Total Availability	249

4.3 En-suite facilities are provided in Loudoun House and Hamilton House, with Television and telephone in each room. Fully fitted laundry rooms are available for use by detainees at any time in all the housing areas, and fresh towels and bed linen are changed or supplied as often as requested or required.

4.4 It is pleasing to confirm that the contractor maintains and refurbishes all the residential areas in a rolling programme of maintenance which ensures the constant comfort of both the male and female detainees.

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

5.1 Wherever people have been detained, either in war or peace, the question of food takes the longest and strongest place in the memory and takes the top place in complaints against their stay in hospital.

5.2 It is pleasing to record that the provision of food at Dungavel is consistently voted as excellent by detainees of different cultures and ethnic groups.

This is achieved by several factors being addressed, but the main approach by the contractor is the close interaction with detainees at weekly meetings where suggestions or requests are acted upon.

5.3 Other important matters are met by the high quality of food supplied and the painstaking performance of the catering staff in the delivery of each meal several times every day. In addition dietary and religious observance days are maintained with due respect, vegetarians are given the opportunity of appropriate choice and special light dishes are prepared for anyone wishing to lose weight outwith a fixed dietary programme.

5.4 Perhaps the most all-embracing enterprise is the Cultural Kitchen Programme operated by the contractor in which detainees are encouraged to prepare and cook meals with others of similar taste or cultural background. There are two sessions available to interested parties, between 10 am and 7.30 pm daily. Each session allows 12 people to participate, either acting as cooks or enjoying the cooking, as they wish. Booking is strictly in advance, due to the interest the project had generated. Fresh meat, poultry, fish and vegetables are supplied for each session, in keeping with the menu intended.

5.5 In addition to the catering project during the day, snacks are available to residents during the night, with toasters, microwaves etc, for personal use. It is noteworthy,

however, that the group cooking sessions generate good-natured competition between ethnic groups, which produces greater diversity, understanding and stability in the communal life of the Centre.

- 5.6 The provision of suitable clothing for male and female detainees is a requirement met by the contractor as and when it is necessary. The Board is pleased to report that the clothing issued to detainees is of excellent quality, style and appearance.

6. Regime (Rules 17, 18 and 19)

- 6.1 The prevention of boredom in a custodial establishment or institution is always demanding of ideas and structured pursuits for both groups and individuals. Subject to weather changes, there must always be contingency plans to fit the re-adjustment necessary.
- 6.2 With the main population aged between 21 and 27, sport of some kind becomes the most sought after activity and must be programmed to give the largest number the opportunity of participation, with football taking first place. This is closely followed by cricket and, most recently, volleyball and badminton. These are all played in the main gymnasium when the weather is unsuitable, but football is played on the all-weather astro-turf football pitch and is used by detainee groups, whether it is rain or shine, small numbers or ethnic groups in challenge matches.
- 6.3 The gymnasium offers an excellent work out centre with the most modern machines available for individual physical effort to maintain fitness, under personal supervision by trained gymnasium staff. A separate Educational Unit offers the widest possible range of involvement suitable for both group and individual instruction.
- 6.4 The greatest demand is for use of the computer room, where 20 machines are supplied for computer and I.T. familiarisation, overseen by two instructors for training or guidance. A strict booking system is in operation, covering two-hour sessions between 9 am and 9 pm daily.
- 6.5 Instruction in tailoring, dressmaking and other garments is made under trained staff, on six modern sewing machines, sometimes with considerable success by detainees who have returned to their own country and set up in business for themselves and family. The most popular items made, however, are T shirts, completed to the detainee's satisfaction, in their own design, by individuals who had never seen a sewing machine before coming to Dungavel.

- 6.6 There is also training in English and other languages, and a full library room with D.V.D's available in a wide range of tongues for anyone wishing to gain further knowledge or instruction. Newspapers in every language are supplied daily, and any particular book, either secular or religious will be supplied on request.
- 6.7 Discos, Karaoke, etc, are well attended and music is played by their own disc-jockeys, sometimes twice a week, according to demand. A fully socialising atmosphere is offered by the café/shop situated on ground floor of the main building. The unit is well decorated and provides a background where detainees can meet and enjoy tea, coffee, cold drinks or snacks served from the shop counter. Books, magazines and other reading material is on hand for further relaxation, while the shop offers all types of goods at an excellent discount, including S.I.M. cards for every mobile using foreign communication media.
- 6.8 An opportunity to engage in paid work employment within the centre is open to every detainee and ranges from gardening and tending open spaces, to keeping dining rooms and association rooms clean and welcoming.
- 6.9 In addition, any resident who wishes to pursue a course of instruction in the raising of plants, flowers and shrubs is given every assistance and guidance by trained staff, on a personal basis.
- 6.10 The learning centre has prepared a presentation outlining the advantages for detainees which can be gained by participating in either the Assisted Voluntary Return (A.V.R.) or the Facilitated Return Scheme (F.R.S), as a means of voluntary return to their home country, and the project is proving very helpful.

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

- 7.1 A manager is in post to ensure that religion and religious affairs are given the maximum importance to the needs of the detainees during their residence at Dungavel.
- 7.2 Following admission to the centre, arrangements are made for detainees to meet his/her minister of religion, provided that is their wish. This arrangement also applies to any inmate who is sick, in confinement, or removal from association, who so wishes.
- 7.3 Every possible encouragement is made to ministers of religion, whether they serve the largest groups of adherents or represent the most minor or obscure following, including a single applicant's needs.
- 7.4 Multi-faith prayer rooms have been set aside in each of the buildings for the convenience of individuals, at any time, night or day, while the original chapel founded by the Dukes of Hamilton, is employed as the main multi-faith forum for meetings and religious celebration by large groups, from 9am until 9pm daily.
- 7.5 Every week a full discussion takes place with detainees to hear their wishes on religious affairs within the centre. Talks on the value of diversity, its application and better understanding are arranged on two or three sessions and are often attended by members of staff. This adds to the communal ethos that is so important between staff and residents.
- 7.6 Members are happy to assure the Minister that every detainee at Dungavel is able to be fully supported in personal observance of religious beliefs and duties, at any time.

8. Communications (Rules 26 – 32)

- 8.1 The Home Office rightly emphasises the need for every detainee to be encouraged to make use of the range of technical and electronic means by which good communications can be achieved.
- 8.2 In the first instance, it is very important that friends and relatives are aware of where a detainee is located, and how he/she can be contacted easily and visited regularly.
- 8.3 To this end, free mobile phones are given to every detainee on arrival at Dungavel, and S.I.M cards are available at the café/shop at an excellent discount.
- 8.4 B.T public telephones are situated at 24 different sites throughout the centre, so that a detainee can make private calls, if that is their wish.
- 8.5 Friends and relatives are advised that GEO provide a free bus service from the car park at the Hamilton Bus/Railway Station, each morning, afternoon and evening, so that a comfortable visit can be enjoyed in the Visits Hall, situated in the main building of the centre. Here, additional opportunity exists to communicate with Lawyers and legal representatives, together with access to Fax and copying machines for contact with embassies and consuls, should that be necessary.
- 8.6 It is worthy of note that the Welfare Officer provides an extremely important bridge for communication between detainees and others, including contact with Banks, Prisons, Police and other I.R.C's, regarding money, property, clothing and articles retained or missing in transit, and this service has proved very helpful indeed.
- 8.7 In summation, the Board finds that the effort made by GEO to support inmates in every avenue of communication is excellent.

9. Healthcare (Rules 33 – 37)

- 9.1 The Healthcare Department within Dungavel IRC is located in the main building on the ground floor. Like many other centres within the estate, Dungavel is not purpose built; therefore it has a very small healthcare facility with no in-patient beds.
- 9.2 There are now two healthcare departments, the existing healthcare facility and a new healthcare unit. The existing department contains a dental suite, group therapy room, RMN room, Counsellor Room, allowing female detainees to be seen separately from males, and a small kitchen.
- 9.3 The new unit consists of an office, Pharmacy, Records, Consulting and Treatment Rooms and a further small kitchen. There is also a healthcare reception room within the main Detainee Reception.
- 9.4 All detainees are entitled to a second medical opinion, if an examining couch is required for the consultation, then this needs to take place within the healthcare department. Due to the small size of the area, and the need for rooms to be used to their full potential, timings for the use of the consulting rooms are managed to best effect.
- 9.5 The Operating Standards set out the minimum level of qualifications to be held by staff providing services and training as required. The current staffing of the Healthcare Department at Dungavel IRC is as follows:

<u>Position</u>	<u>Qualification</u>	<u>Quantity</u>
Healthcare Manager	RMN and RGN	One
Senior Nurse (Part time)	RGN	One
Staff Nurse (Full time)	RGN	Two
Staff Nurse (Part time)	RGN	Three
Staff Nurse (Full time)	RMN	Two
Therapist/Counsellor (Part time)	State Registered	One
Administrator (Full time)		One

9.6 In addition to the above, there are three GPs providing cover between 8am and 5pm with out of hours cover being provided by Birmingham telephone advice Doctor.

9.7 There are a range of specialists regularly visiting Dungavel IRC including, Psychiatrists providing two sessions per month as part of a Service Level Agreement with Lanarkshire NHS, enabling greater continuity as the admitting Hospital for the centre is within Lanarkshire NHS region. There is also a quarterly visit by a Pharmacist/Medicines Manager offering one to one appointments to detainees to discuss any issues surrounding medication or to provide advice. The detainee population has not as yet seen a need to utilise this service, but it continues to be available. In addition, there is also a monthly visit from an independent Pharmacist with weekly surgeries being provided by a visiting Dentist.

9.8 An Optician attends the centre one per month providing optical services, and a Podiatrist also maintains a monthly clinic. Midwifery visits are provided by NHS Lanarkshire as required and a Health Visitor is also available in the same manner, although, since cessation of the detention of families with children at Dungavel IRC, this service has not been necessary. Chronic Disease clinics are also held on a monthly basis.

9.9 In regard to child protection, Social Worker Services are again provided by

Lanarkshire NHS (Child and Family Team) with most visits arising from age dispute claims by detainees of being a minor.

- 9.10 The latest Branch Audit took place on 17th and 18th April 2013 finding that the Healthcare department was 100% compliant with the Audit expectations.
- 9.11 There is also provision for Mental Health Therapies with regular Nurse led sessions being held for both new referrals and ongoing cases in conjunction with Counsellor/SRAT clinics. A range of group therapies are also conducted on a weekly or monthly basis by the nursing staff as follows:
1. Relaxation
 2. Violence Reduction
 3. Anxiety Management
 4. Positive Mental Health
 5. Horticultural Therapy
 6. In reach – Visiting staff and detainees within the units.
- 9.12 In addition, on a weekly basis, there are Multidisciplinary meetings held between Immigration Enforcement, GEO Managers and Healthcare where the current ACDT caseload is discussed with a view to ensuring best practice in managing challenged individuals, while sharing information that safeguards welfare.
- 9.13 A further Detainee Consultative meeting is also held weekly with the same participant groups, with detainees, providing a forum for swift resolution of issues surrounding regime, healthcare, food etc.
- 9.14 The Board commends the range of Healthcare services delivered by the Department.

10. Complaints and Requests (Rule 38)

- 10.1 Board members are pleased to assure the Minister that complaints lodged at Dungavel are dealt with strictly in accordance with the Detention Service Order, issued in 2006, relating to complaints made by detainees, held under Immigration Law.
- 10.2 Clearly marked complaint boxes are places at several points throughout the centre, easily accessible to residents, and these are regularly inspected by Immigration staff, and immediately made the subject of official record.
- 10.3 Where appropriate, speedy resolution of the matter follows, but full investigation of the issue will be undertaken, in order to produce a fair and unambiguous outcome, where that is judged necessary.
- 10.4 Written complaints worthy of further investigation, average between 10 and 12 in a year and normally cover loss of property, either stolen or retained by the Police for legal reasons, but an effective and efficient outcome is pursued in every case.
- 10.5 Oral and written requests for transfer from Dungavel to an IRC close to where an inmate has friends or relatives form the main body of matters for consideration by the Immigration Unit, with the most needful cases generally finding success.

11. Safety and Security (Rules 39 – 43)

- 11.1 The principle duty of any custodial establishment is to ensure the safety and security of every inmate, at all times. At Dungavel, the priority accorded to the safety, security and well being of inmates has always been well maintained.
- 11.2 Nevertheless, over the years the risk factors affecting the situation within a custodial institution have greatly increased, and constant review and assessment becomes more necessary, as appropriate.
- 11.3 The ease of communication by mobile phones, the radicalisation being promoted by certain groups; the aim to take control of regime and information management; the use of technical aids for collaboration in food refusal at different locations, are some of these worthy of close consideration and evaluation.
- 11.4 There is, in addition, the possibility of bullying of individuals by groups which must be controlled by the strictest action, immediately it is identified.
- 11.5 The Board is pleased to report that the management have a daily examination of all information that comes to hand through constant watchfulness and effort by staff. This results in the most vulnerable inmate gaining confidence in the centre, as a safe and secure environment, with a tolerant and understanding communal life.

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

- 12.1 The Independent Monitoring Board at Dungavel operates in accordance with Part (VI) Detention Centre Rules 2001, and its business is conducted under its approved Constitution and Standing Orders.
- 12.2 Members of the Board are appointed by the Secretary of State, with three members elected as Chair, Vice/Chair and Board Development Officer. The duties are undertaken by Board members voluntarily and without payment, but members believe that their involvement in the role of the centre assists in creating a just, safe and secure environment, as required specifically by Parliament and the general public interest.
- 12.3 Dungavel is the only Immigration Removal Centre in Scotland, and from the time of its commissioning, the Board has maintained a completely independent and jealously guarded freedom from interference by political, religious or media groups, at any time. That stance will be rigorously maintained in the future, without concession.

13. Legal Representatives

- 13.1 It is worthy of note that since increasing pressure has been placed on the availability of work in the criminal sector, paid for by the criminal legal aid fund, there has been a dramatic increase in the numbers of representatives turning to the possibility of immigration work, paid for through the Scottish Legal Aid Board.
- 13.2 As a result there are now 17 companies and individuals who have registered with the Scottish Law Society and the Scottish Legal Aid Board, to counsel and advise detainees on matters affecting them under Immigration Law, during their detention at Dungavel.
- 13.3 In consequence, the contractor has been required to initiate procedures to be followed in order to prevent congestion in the Visits Room, in the main building. Here, Bail Court Hearings on Video Link, interviews with interpreters and detainee support groups, together with ordinary detainee visitors, compete for available space.
- 13.4 Despite the procedures which should be followed, visits are made out with those agreed, with relative upset to professional colleagues who abide by the arrangements.
- 13.5 There is little doubt that the pressure on payments from the criminal legal aid funds has increased the numbers of representatives turning to the possibility of immigration work, many with little experience, resulting in the decrease of attendance by experienced, long-term solicitors of stature and ability.
- 13.6 During induction at Dungavel, each detainee is provided with the list of solicitors or representatives who can be contacted by Fax, and assistance is given, should that be required.
- 13.7 Although often asked, The I.M.B members are scrupulous in not recommending any company or solicitor, but merely ensure that each detainee has the opportunity of choice.

14. Comments and Recommendations

- 14.1 In the view of the Board, Assisted Voluntary Return (AVR) has always been a programme worthy of the strongest possible support, as a voluntary means of removing illegal immigrants from the U.K, and it is pleasing to report that the numbers applying for consideration of approval have continued to grow over the year.
- 14.2 It is pleasing to report that Refugee Action representatives attend consistently, arranging further progress for suitable applicants, although it is understood that their involvement as a group initiator will cease on the 5th March 2014.
- 14.3 Nevertheless, the IMB will continue to counsel and advise detainees that, in their view, (AVR) offers them the most remarkable opportunity to return to their home country with considerable personal gain, rather than the possibility of enforced removal, as an outcome.
- 14.4 Members also wish to remind the Minister, that they have always believed that any expenditure by the Home Office, in promoting (AVR) achieves the most successful, efficient and cost-effective method of removal of illegal immigrants from the U.K, programmed at this time.
- 14.5 The remaining voluntary removal programme, Facilitated Return Scheme, is operated by the F.R.S. Unit of Immigration Removal, and relates to illegal immigrants serving prison sentences. Voluntary return by means of this particular programme is designed to assist the removal of illegal immigrants who have been awarded prison sentences in excess of 12 months, following conviction by a criminal court.
- 14.6 The inducements offered suitable detainees include the halving of the prison sentence, together with rehabilitation support on arrival in their home country.

14.7 It should be noted, however, that many detainees claim that they were never made aware of such a remarkable opportunity, and that they would have been happy to have taken it, if they had known. Such circumstances are extremely disappointing, and it would appear that review of the F.R.S. programme and its mode of operation be made a matter of urgency, and implementation undertaken at an early date.

15. Formal Confirmation (Rule 64)

15.1 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 required by Immigration Law.

15.2 In consequence, the Board is pleased to confirm to the Minister, that in the period under review, 1st January – 31st December 2013, 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.

Richard W Bett FCMI Chair

Mrs Margaret Morton Vice Chair

Mr James Malloy Board Development Officer

For and on behalf of Dungavel House Independent Monitoring Board.