

INTRODUCTION

The following information is furnished to the Minister by the Independent Monitoring Board of Dungavel House I.R.C., in accordance with Rule 64(1) Detention Centre Rules 2001, and relates to the state of the detention centre and its administration, including advice and suggestions which they consider appropriate.

It will be noted that the report covers the period Mid 2010 – 31st December 2010, and is substantive to the previous submission made earlier in the year. Future annual reports will cover the period from 1st January until 31st December annually.

The most noteworthy item in the second half of 2010, took place with the inspection of the centre by H.M. Inspector of Prisons, between 21st and 25th June, and the Board are delighted to quote directly from his findings as published later in the year:-

“Dungavel remained a very safe and relaxed establishment, despite an increased population, proportionately more ex-prisoners and increased lengths of stay which might have been expected to increase frustrations. Indeed, an already high performing establishment had improved in many areas, underpinned by exceptionally good staff – detainee relationships. Dungavel was, by some distance, the best I.R.C. we have inspected.”

These conclusions are reached on the basis of comparison of data, statistics, personal interviews and much else, relating to a period of brief but thorough investigation. The Board pay compliment to the professionalism displayed by the Inspectorate team during their work, and fully endorse their findings.

1. Location and Background

Dungavel House I.R.C. is located near Strathaven, South Lanarkshire Scotland.

Its position close to the A71 (Ayr – Edinburgh Road) and the M74 (England – Scotland) gives ready access to the major towns in the Central Belt, including Glasgow, Edinburgh and Prestwick Airports – all within 35/40 minutes travel time.

Originally built as a hunting lodge and country residence for the Dukes of Hamilton, it has served as a Naval Hospital, during two world wars, and in turn became 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 vacated by the Scottish Prison Service, when the property passed to the Home Office.

Following substantial alterations, the premises were commissioned for use as a Detention Centre on the 3rd September 2001, and is presently managed by G4S on behalf of the Home Office.

2. Accommodation and Hygiene (Rule 15 and 16)

The Board confirm that, as required by legislation, the accommodation continues to meet all the requirements necessary for the comfort, health and safety of detainees , together with appropriate hygiene and toilet facilities. The rooms reserved for secure detention or removal from association are likewise properly furnished and appointed for use.

Three specially equipped rooms are fitted en-suite and available for disabled persons, and each room can sleep 3 inmates.

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

Main House (Dormitory Style)

On two floors – Male – 83 Bed Spaces

On separate floor – Female – 14 Bed Spaces

Loudon House

On one Floor – Male – 70 Bed Spaces

Hamilton House

On two floors – Male – 44 Bed Spaces

Clyde House

On one floor – Family – 6 Bed Spaces **Total bed spaces 217**

Accommodation and Hygiene (Rule 15 and 16) continued

En – Suite accommodation is provided in Loudon House, Hamilton House and Clyde House, with television and telephone in each room. Each house has laundry facilities available for use at anytime. Fresh towels and bed linen are changed or provided as often as requested or required.

The contractor has continued to maintain and refurbish all residential areas in a rolling programme which ensures the constant comfort of those detained.

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

The Board confirm that the contractor ensures that detainees are provided with suitable clothing as and when their need requires. The clothing is of excellent quality.

In the provision of food the contractor is painstaking in delivering consistent quality, variety and quantity to detainees. Foods such as fish, meat and pastas are served frequently, as recommended by the Food Standards Agency, while vegetables and fruit are made available to diners at every meal.

Dietary and Cultural requirements are always fully met.

The innovative idea of the Cultural Kitchen, allowing detainees to prepare and cook their own meal, also continues. There are three sessions daily – morning, afternoon and early evening with full ethnic diversity being encouraged by management.

Strict rules are applied to the introduction or use of alcohol within the Centre.

4. Regime (Rules 17, 18 and 19)

The Board are pleased to confirm that every opportunity to engage in recreational and intellectual pursuits is provided by the contractor, and the development of skills is actively encouraged.

The extent of the facilities and interests available is excellent. Educational functions in language, computer and I.T. familiarisation as well as drawing, painting, cookery and sewing are all taught by capable instructors.

Sports activities of all kinds are programmed daily, and an excellently appointed gymnasium overseen by trained staff, forms the core of all the health related pursuits which can be followed. Time in the open air is not restricted.

Cultural, ethnic and linguistic needs are fully met by the comfortable library stocked with books ranging from religious to legal subjects, as well as modern fiction. Newspapers are available daily and language newspapers are on display. Any particular secular or religious book will be sourced and provided on request.

Although multi channel T.V. is provided the most supported activity is snooker, played on one of the many tables placed throughout the Centre. This is closely followed by Bingo played in the evening some 3 or 4 times a week.

Opportunity is provided for detainees to undertake paid duties within the Centre, such as gardening, tidying the grounds and encouraging others to keep association rooms and living quarters tidy and well presented.

A bright and well stocked café/shop allows all detainees the choice of a wide variety of goods, together with the ability to enjoy the socialising atmosphere of the café with other detainees. This has proved very welcome to inmates.

5. Religion and Religious Affairs (Rule 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 major 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.

6. Communications (Rule 26-32)

The entitlement of detainees to enjoy communication with family and others out with the Centre is actively encouraged by management and staff. After induction, each detainee is advised to inform their next of kin where they are and given the necessary assistance to do so, either by telephone or letter.

Visits are conducted in the well furnished Visits Hall with friends or relatives on as many occasions as the inmate wishes. Official interviews, legal advice or counselling are able to be conducted in private rooms situated off the main hall. Fax and copying machines are available to contact embassies or solicitors on request.

Public telephones are situated at many points throughout the Centre, and the use of private mobile phones is encouraged by making telephone cards available at the discount price of £3.50 for a £5.00 card.

Money or articles sent for or belonging to inmates – including property from prisons or other I.R.C's are effectively dealt with by the welfare officer. This officer also acts as an important bridge of communication for inmates on questions of every kind.

7. Health Care (Rule 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 staff are employed by Nestor Primecare Ltd.

Nursing staff includes 5 Registered Nurses and 3 Registered Mental Nurses , with 4 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.

8. Safety and Security (Rule 39-43)

The successful maintenance of safety and security within the Centre remains largely attributable to the skills and patience of the staff. Their watchfulness prevents bullying and harassment of individuals as well as the early formation of threatening groups or factions.

This is the key to the relaxed and secure ethos of the institution, bolstered by the daily examination of relative information and appropriate action.

A full security and safety committee meets monthly and is attended by G4S and U.K.B.A. management. All aspects of the questions are reviewed at this time and any necessary adjustments are taken immediately.

Requests and Complaints (Rule 38)

Oral requests by detainees continues to be mainly regarding possible transfer to I.R.C's in the south so that relatives and friends can visit readily. These requests are considered weekly by U.K.B.A. for possible transfer, if appropriate.

The investigation and resolution of complaints continues to be followed by U.K.B.A., through the procedures set out in Detention Services Order 2006, and the Board confirms its effectiveness and efficiency. It is noteworthy that written complaints by detainees at Dungavel number an average of 2 per month over the year. These mainly relate to property allegedly lost or missing, and all the matters raised have been satisfactory resolved in each case. The Detention Services Complaints Unit advise that Dungavel has no outstanding complaints, and the Board view this position with considerable satisfaction.

9. 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 undertaken on a day-to-day basis, and 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.

10. Comments and Recommendations

Serious Non-Compliance

The Board continues its recommendations that a particular detention centre be retained for the purpose of housing detainees whose aggressive violent, disruptive and unsuitable behaviour threatens the safety and security of others. In this regard, the excellent efforts of the U.K.B.A. Director of Operations to maintain control and balance throughout the Detention Estate are highly commended.

International Organisations for Migration

The Board also continues to recommend the policy of voluntary return of illegal immigrants to their home country with dignity and respect through the programme of Assisted Voluntary Return of Families and Children (A.V.R.F.C.), operated by the International Organisation for Immigration (I.O.M.). Members give active support to the work done by U.K.B.A. and G4S staff in cooperation with I.O.M. staff visiting weekly from Glasgow office.

Members regard this programme as the best means of return available to those qualifying for grant, and that it ultimately meets the best interests of the detainee concerned.

Legal Representatives

The Board has always regarded the provision of professional legal services to detainees by qualified representatives as being of the greatest importance to each individual concerned.

Nevertheless, the extent of legal – aid costs figures largely in the decreased budget of funds available from the public purse, and considerations must be given to all aspects affecting it in consequences.

It is recommended that the Legal Aid Board closely scrutinise applications made by solicitors for validation of payment, especially where the application is clearly triggered by the official service of Removal Directions. Where such cases do not hold reasonable chance of success, but serve only to create the unacceptable effect of delaying removal, payment to the solicitor should be withheld.

Furthermore, touting for clients or unprofessional behaviour which undermines the best delivery of legal services by other solicitors, should be rewarded by removal from the ability to practice within the Centre, especially whilst being employed by the payment of third-party funds.

Formal Confirmation

The Board is pleased to formally confirm to the Minister that, in the period under review, the premises at Dungavel House Immigration Removal Centre have been maintained in a satisfactory manner by the contractor, G4S, and that persons who have been detained there are treated with care, consideration and humanity.

Richard W Bett F.C.M.I. Chair

Dr John Jeacocke Vice Chair

Mrs Margaret Morton Board Development Office