



Independent Monitoring Board

Harmondsworth Immigration Removal Centre

Annual Report 2010

**Monitoring fairness and respect
in Europe's largest immigration detention centre**

Diversity Statement

Harmondsworth IMB is committed to an inclusive approach to diversity which encompasses formally recognised differences, such as race, religion, gender, disability, sexual orientation etc. and differences that cut across these categories, such as mental health or literacy levels.

We will endeavour to carry out our duties in a way that makes us accessible to all detainees, regardless of their background or situation and to monitor that all are being treated equally and fairly.

The board also values diversity within its own membership, recognising that a group with a range of skills, experiences and backgrounds is better placed to monitor effectively.

We will endeavour to recruit board members widely and fairly in a manner that makes us welcoming both to traditional constituencies and to those who have historically been under-represented.

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Section 2

THE ROLE OF THE IMB

Every prison and immigration removal centre (IRC) has an independent monitoring board made up of members of the public from the community in which the prison or IRC is situated. IMB members have access to all parts of the establishment they monitor and to all its records, and can speak to any prisoner or detainee. They are unpaid volunteers who are appointed by ministers – in the case of IRCs by the Minister for Immigration. This board monitors the Harmondsworth Immigration Removal Centre, near Heathrow.

The board is specifically charged to:

1. Satisfy itself as to the humane and just treatment of the detainees held in the centre.
2. Inform promptly the Minister of State for borders and immigration, or any official to whom he has delegated authority, any concern it has.
3. Report annually to the Minister on how far Harmondsworth IRC has met the standards and requirements placed on it – and what impact these have on those held in the centre.

Could you be an IMB Member?

Being an IMB member is rewarding, challenging (and frequently frustrating). It offers a way to make a real difference to people held in custody and to observe, challenge and hold the system to account.

We are currently a team of 11 people and have vacancies for extra members.

If you are interested in joining us, please contact the Vice Chair, Eleanor Griffiths at imb.recruitment@gmail.com.

Section 3

HARMONDSWORTH IRC

In June 2010 Harmondsworth Immigration Removal Centre (IRC) became the largest immigration detention centre in Europe with a capacity to accommodate up to 615 men.

It is located near Heathrow airport and is run, on behalf of the UK Border Agency, by GEO, an American-owned company which has run Campsfield House IRC in recent years (although it lost the contract in 2010), and which recently won the contract to run Dungavel IRC in Scotland.

In addition to being the largest, Harmondsworth is arguably the most complex IRC in the country. It has two very distinct styles of accommodation – hostel-style in two wings and prison-style in four new wings, opened in summer 2010. It has the most extensive healthcare facilities in the immigration estate and it is a Fast Track centre (see below). It is also used as a base to gather detainees going out on charter flights.

This combination of facilities means that Harmondsworth accommodates the full spectrum of male detainees, including asylum seekers, ex-prisoners, people with health needs or disabilities and those taking part in drug detox programmes.

3.1 A Fast Track Centre

Harmondsworth is the principal centre for male Fast Track cases. Fast Track is a speeded-up asylum process for people whose cases the UK Border Agency (UKBA) believes it can determine quickly. Fast Track asylum seekers are held in detention to make it easier for UKBA to keep track of them and to process their cases quickly.

A Fast Track detainee should have his main immigration interview within a week of arriving in Harmondsworth and receive a decision the next day. He then has two working days to lodge an appeal.

Around 20% of those who start out on Fast Track are taken out of it, for a variety of reasons, and a further number either withdraw their cases or are granted bail. Of those who remain, 98% are refused asylum.

3.2 Who is detained?

30-40% of Harmondsworth's population at any one time will be asylum seekers on the Fast Track process. These detainees tend to be in the centre for weeks rather than months or years.

A significant proportion of the remainder are people with a criminal record who are transferred from prison into detention at the end of their sentences, pending deportation. These so called ex-foreign national prisoners (ex-FNPs) have committed crimes of varying seriousness. Some, for example, were imprisoned for document offences, such as using forged papers to work illegally. Others have committed more serious offences. The proportion of ex-FNPs in Harmondsworth increased during 2010

from about 20% at the start of the year to 30%+, following the opening of the prison-style wings.

The remaining 30% - 40% of detainees are a mixture of people that UKBA considers has no entitlement to stay in the UK, such as visa overstayers, unsuccessful asylum applicants, illegal entrants or people who have violated the terms of their visas, for example by working.

The top five nationalities in Harmondsworth at the end of 2010 were: Pakistani, Indian, Afghan, Chinese and Nigerian.

3.3 Accommodation and regimes

No distinction is made inside the centre between the different types of detainees and they mix freely with each other. By and large, a greater number of ex-FNPs will be placed in the prison-style wings but this is by no means an absolute rule, and all detainees start out in the induction wing (Fir unit), which has prison-style accommodation.

Detainees in the hostel-style accommodation have considerable freedom of movement and can, for example, visit the activities areas (computer rooms, library, art room, gym etc) and religious facilities without restriction. Those in the prison-style accommodation have separate, smaller facilities with more limited access.

In both parts of the centre, accommodation is typically in two-bedded rooms which contain TVs.

Rooms on the hostel side have single beds (not bunks) and solid doors. Showers and toilets are off the corridors.

The prison accommodation is built to Category B prison standard so the cells have heavy doors containing an observation window. They have relatively narrow bunk beds. There is a washbasin inside the room and a toilet, with no seat, behind partial screening. Showers with three-quarter doors (so head and lower legs are visible) are located off a corridor.

Access to the open air is in internal courtyards which detainees can visit freely in the daytime. This is also where they can smoke. The courtyards are reasonably sized and two can be used for outdoor games like football or cricket. However, the courtyard for the induction and departure wing is tiny relative to the population it serves and effectively offers standing room only. Since many detainees spend several days on this wing and some stay there for weeks, this can be a problem, especially in summer.

Detainees can use mobile phones that do not have a camera or internet access. During 2010 simple phones were provided to detainees who did not have their own. The availability of mobile phones removed the need for detainees to have access to landlines, simplified communication in the centre and allowed detainees to maintain external contacts. However, detainees often do not hand back their phones when they leave the centre and stocks of new phones frequently ran out towards the end of the year. Regular shortages have persisted into 2011. This is a serious problem for the detainees affected as they cannot then contact lawyers, relatives and friends.

3.4 Arrivals and departures

According to management information collected by the contractor

4,515 detainees arrived in Harmondsworth during 2010

4,126 left. Of these:

45% were removed from the country

22% were released into the community (granted bail or temporary admission)

33% were transferred to another detention centre, prison or police cell

3.5 UK Border Agency at Harmondsworth

There are two entirely different and separate teams of UKBA staff on site. The larger is a team of case-workers and support staff for the Fast Track process, who deal exclusively with the asylum cases of Fast Track detainees. This UKBA team will be referred to in this report as the “fast track staff”.

The second is a small team which is part of the Detention Services directorate within UKBA. It has some oversight responsibilities for the centre as a whole and for the welfare of all detainees. It has no hand in immigration casework – but acts as the main conduit of information between caseworkers located around the country and detainees, since direct communication is rare after someone enters detention. This UKBA team will be referred to in this report as “detention services staff”.

The two UKBA teams are physically separate, operating in different parts of the building with different entrances.

Section 4

EXECUTIVE SUMMARY

4.1 Key events in 2010

1. The opening in the summer of four new prison-style wings at Harmondsworth, taking the capacity of the centre from 251 to 615.
2. An HMCIP (Chief Inspector of Prisons) inspection at the beginning of the year that, while broadly satisfactory, gave a damning account of the healthcare service at Harmondsworth
3. A detainee who maintained a 35-day food refusal (hunger strike) to the point of extreme weakness. He was sectioned under the Mental Health Act and moved out of the centre.
4. The detention of six children over the course of the year, who UKBA believed to be adults, but were subsequently found by social services to be under 18.
5. The long detention of a clearly mentally disturbed man, who was held in a separation unit (on Rule 40) for the majority of his time at the centre between March 2010 and January 2011.
6. The escape of a detainee in November, through the visits hall, due to staff error.

4.2 Overall judgement

4.2.1 The running of the centre

With the caveats listed below, GEO did a good job in difficult circumstances in 2010 and should be congratulated for the way it has managed the running of such a complex and somewhat ill-designed facility.

The centre management's philosophy of allowing detainees as much freedom as possible continues to prove its worth. For the first time in several years, there were no incidents requiring the use of Tornados (teams trained in anti-riot techniques) and one relatively large courtyard protest was resolved without use – or show – of force. The use of separation (Rule 40) and segregation (Rule 42) decreased in absolute terms, despite the sharp increase in the population of the centre.

Interaction between detainees and staff, in both directions, is observed to be generally respectful. The challenge for GEO remains to create a culture of pro-active problem-solving among all staff so that they more consistently help detainees with the many welfare issues they face in detention.

Healthcare shortcomings

Following concerns raised in our 2009 Annual Report about the quality of healthcare services at Harmondsworth, and a damning HMCIP verdict on the service, the Board paid particular attention to monitoring healthcare during the year. The healthcare manager left in the summer and the post was filled on a temporary basis for the rest of the year. Complaints from detainees continued to be high throughout the year – both through the formal complaints system and to the IMB. A recurring theme was the uncaring attitude from some healthcare staff. The number of internal missed GP appointments remained high. Provision of mental health services also continued to be inadequate for the needs of the population.

The IMB does not doubt the effort put in by some members of the healthcare team, nor the commitment of the management to improve the service. But progress has been too slow and by year end more than half the 60 HMCIP recommendations for the improvement of healthcare at Harmondsworth had not been actioned. (see below Sections 5.3 and 5.4.4 for more information).

Induction/departure unit overstretched

The induction and departure unit, known as Fir unit, was equipped with very short stays in mind. It offers extremely limited access to fresh air, having only a small, bare courtyard, good for little more than having a smoke. Detainees on Fir have limited Internet access and regime activities and do not have a Fast Track drop-in information service.

Detainees were expected to spend no more than 24 hours on the unit on arrival and one night prior to departure. However, with high occupancy rates at Harmondsworth, Fir unit often has to house detainees for longer. Furthermore, some, such as age-disputed detainees or those with certain disabilities or vulnerabilities may be accommodated on Fir throughout their stay, because the higher staffing levels on the unit allow greater attention to welfare needs. In addition, sections of Fir are sometimes used as a separation unit (under Rule 40), if Elm house, the main area for separation and segregation, is full.

The effect of detainees with higher levels of need and vulnerability being housed on a unit with such limited facilities means that the atmosphere on Fir is frequently quite frenetic. Officers face a constant stream of requests and problems and IMB members are quickly surrounded by detainees wanting help with issues that staff have not been able to resolve.

Routine welfare needs unmet

People in detention have all sorts of problems – property or documents lost or left behind when they are taken into detention or moved about between centres; difficulties communicating with people outside or gathering information for their immigration cases or filling in forms to apply for bail; problems sorting out their affairs or getting all their belongings together before removal; problems understanding what's available in the centre, how things work and whom to go to for help and advice.

The centre management's approach is that all custody officers are also welfare officers and should be able to help detainees resolve whatever issues they face. This is commendable in theory, but very difficult to achieve in practice and has not yet been achieved at Harmondsworth. Some officers are by inclination more interested in welfare than others or are just more persistent in helping detainees solve their problems. Others are more inclined to stay detached and throw up their hands sooner as yet another man comes along with yet another problem.

In these circumstances many routine needs go unmet or are met with undue delay and detainees suffer unnecessarily over what should be fairly routine issues.

The management is putting initiatives in place to improve routine welfare – a more personalised induction process, a detainee buddy system and a personal officer scheme. These are welcome. But anyone who has experience of managing people knows that changing a culture is not easily achieved. At Harmondsworth the cultural transition to a situation where every officer really does see themselves as responsible for welfare matters in a proactive sense is still some way off.

4.2.2 Issues relating to UKBA

The board struggles to find new ways to express the same old concerns that crop up each year about matters in the remit of UKBA – the length of detention, the poor quality of communication about the progress of cases, lack of adequate access to legal advice and frequent movement of detainees from one detention centre to another.

The board wishes this year to highlight two particular on-going concerns – and one example of good practice.

Length of detention

The board continues to be concerned about the number of people who end up being detained for very long periods of time. UKBA detention services staff do not systematically monitor this on a local level and the UKBA team at Harmondsworth, for example, does not see collecting or analysing such information, or using it to press caseworkers, as part of its role.

In the absence of such information, the board did some monitoring of its own. It took two snapshots in the year from data held by the contractor, recording which Harmondsworth detainees had been in total detention for a year or more.

On 31st July 2010, when there were 247 detainees in Harmondsworth, 17 had been in detention for more than a year and the longest detained had been held since January 2007 – three and a half years.

Board members set out to interview as many of the 17 as possible to find out about their welfare and personal circumstances. Some were already known to the IMB. The board also sought some additional basic information from UKBA.

16 of the 17 were ex-FNPs.

3 were imprisoned for document offences.

12 of the 17 had nationality or document issues preventing deportation.

2 of them had been accepted onto the Facilitated Returns Scheme.
The 17 had 12 different nationalities. 4 were Iraqi.
11 out of 15 interviewed by the IMB said they had spent longer in immigration detention than in prison.
11 of the 15 had lived in the UK for more than 10 years. The remainder had been in the UK for more than five years.
All had been moved between detention centres on multiple occasions. 7 had been held in 5 different centres or more.
9 out of 15 had self-harmed.

The second snapshot was taken at the end of the year (31st December 2010), when the population was 589.

35 detainees had been held for more than a year.
The longest had been in total detention for 3 years and 7 months.
Another had been in detention for 3 years and three months.
7 had been held 2-3 years.
26 had been held for 1-2 years.

The IMB was not able to establish how many of these cases were being handled by the specialist UKBA team that seeks to move forward difficult cases. It is worth noting, however, that length of detention is not in itself a reason why a detainee's case is moved to this team.

Given a legal framework that allows indefinite detention and a lack of joined-up working between the UKBA departments responsible for casework and detention it is not hard to see how people can end up in detention for months or years.

Age disputes – the hidden children in the detention system

Sometimes young people are taken into detention who then tell the authorities that they are under 18. If true, it means that they should not be detained. Unless UKBA has strong grounds for believing the individual is significantly over 18 local social services are called in to do an age assessment, and if the young person is deemed to be a child, he is taken into their care.

In our 2009 Annual Report we highlighted concerns about the length of time it takes for age assessments to be completed and called for someone senior in UKBA to take this issue up with Local Authorities.

The IMB is very disappointed with the speed of progress on this issue, having seen no change in the course of the year.

In 2010, 45 detainees claimed to be under 18 of whom 6 were indeed assessed as being children and were taken out of the centre by social services. This compares to 49 claims in 2009 of whom 2 were released as children.

Although the number of individuals is small, it is quite unacceptable that any child under 18 should be detained in Harmondsworth.

Communication between UKBA and detainees

Concerns about their immigration cases – or sometimes simply not knowing or understanding what is going on with their case, is the single biggest concern for most detainees. This board – and others – have frequently highlighted the lack of sufficient personal contact with caseworkers or UKBA representatives.

The board was very pleased to see that Fast Track opened weekday drop-in surgeries inside the centre. The surgery enables detainees to get answers to routine questions about processes and timescales and help in understanding their immigration paperwork. Previously, detainees had to request a formal meeting with their caseworkers in order to get even routine information.

The IMB understands that the surgeries have been successful from the point of view of casework efficiency – as well as being of benefit to detainees – because routine matters are taking up less time in formal meetings.

Unfortunately a Fast Track drop-in surgery is not available to detainees on Fir, the induction wing where all detainees start out.

Furthermore, the service is available only to Fast Track detainees and no equivalent drop-in service is provided by the UKBA detention services team for the rest of the detainee population. Detainees who are not on Fast Track can request a meeting with a member of the UKBA detention services staff or with a staff member from the criminal casework directorate who visit the centre.

4.3 Issues for the Minister

1. The board is concerned about the long duration of detention for some detainees. This is not only emotionally costly to detainees but expensive for the taxpayer. The cost to the taxpayer of the longest serving detainee at Harmondsworth at 31 December – 3 years and 7 months at £110 per night (parliamentary answer 11 October 2010) is £144,000. This issue is not receiving appropriate attention.
2. The face to face information service available to detainees on the detained Fast Track system should be extended to all detainees. In response to our 2009 report UKBA said that this would be actioned. It has not been to date.
3. UKBA should assess the costs of the policies which result in many moves of detainees between IRCs.
4. The Minister should ensure that healthcare provision at Harmondsworth is rapidly improved in line with the recommendations of HMCIP.
5. In the light of NHS reforms, clarity is required in the relationship between healthcare provision at Harmondsworth and the NHS, especially in relation to mental ill health.
6. Policies on the treatment of substance misuse need to be developed.
7. The board is concerned that in 2010 six children were detained at Harmondsworth. Arrangements should be made for the rapid assessment of those claiming to be under 18. We have not seen the agreed process for reducing the time taken to complete age assessments. This was said to be underway in the response to our last annual report. UKBA needs to act on its responsibilities under Section 55

of the Borders, Citizenship and Immigration Act 2009 to "safeguard and promote the welfare of children".

8. The board is concerned that the mental health of detainees is not being met adequately, given the particular stresses of being held in detention. This includes counselling services, psychiatric care at Harmondsworth, and access to secure mental health facilities when this is required.

9. Arrangements should be made for independent monitoring of detainees leaving the UK on escorted removals.

10. Action should be taken to ensure that Rule 35 of the Detention Centre Rules is correctly applied.

11. The IMB should receive timely responses from UKBA to its Rota Reports.

12. UKBA should ensure that the IMB has adequate clerking services.

4.4 Issues for the contractor

1. Improve healthcare.
2. Ensure that Fir unit is an appropriate residential unit for vulnerable detainees.
3. Continue to develop the respectful relationship between staff and detainees and detainees and staff.
4. Ensure that all officers become effective first line "problem solvers" of welfare issues. Alternatively engage a third sector organisation, to be based in the Centre, to provide help to detainees, for example with form filling and locating property ready for removal.
5. Reduce the prison like nature of the new units with improvements to the courtyards, and provision for indoor and outdoor exercise.
6. Recognise in everything that it does, that English is often not easily understood by detainees.
7. Ensure detainees have access to telephones, preferably mobiles.
8. Provide training so that where generic activities staff supervise specialist areas – e.g. the art room or the English language room – they have guidance on how they can be effective teachers.
9. Take action to increase the use made of gym facilities by detainees on the new units.
10. Provide adequate speed of internet access for detainees.

Section 5 KEY REPORTING AREAS

5.1 Diversity

5.1.1 Religion

The expansion of the Centre has required new approaches to the way in which the religious and spiritual needs of the population are met. There is a strong world faith team, headed by a full-time Pastor with a full-time Imam as deputy. The team has been expanded by the addition of staff members and volunteers to meet the needs of the larger centre. Rather than operating from a single location, it now has to work in the four new units as well. Increasingly detainees have been leading acts of worship. The team also take on a pastoral care role for detainees of all religions or none.

The centre, once again, dealt well with Ramadan and the kitchen provided a late hot meal service and take away breakfast packs for fasting detainees. The board hopes that the provision of a hot meal at the end of the fasting day will continue, even as Ramadan moves further into the summer.

5.1.2 Language

The IMB continues to be concerned that non-English speakers are at a serious disadvantage when trying to access the services of UKBA and GEO and would like to see greater pro-activity in addressing this.

An example of the problem comes from a formal complaint made by a Chinese detainee with limited English. He complained that he had not received help or guidance towards filling in a legal form which had to be done within 48 hours. He said that GEO staff referred him to immigration staff, but immigration staff referred him back to wing officers. He was told that there would be a review of how staff assist detainees with language issues when completing forms, and a review of staff training.

We are particularly concerned about the induction process. Detainees are presented with a great deal of information, mainly in English, when they may be experiencing detention for the first time.

5.1.3 Disability

The number of detainees recorded as having a disability rose substantially in the last quarter of 2010 from single figures to high teens or low 20s. The board understands that this is largely due to increased awareness of hidden disabilities, resulting from extra training.

5.2 Education, skills and activities

The provision of activities has had to change significantly in order to meet the needs of detainees in the larger centre. Where in the past there was one library, one art room, one room for language teaching, and one room for computer training there are now two of each. In the hostel style accommodation, Cedar and Dove units, detainees have open access to the facilities whereas in the new units, Ash, Beech and Gorse the facilities are shared on a rota basis.

Fir unit, which provides for the most vulnerable detainees, does not have dedicated education and activities rooms. Lack of facilities on Fir unit is important as detainees may spend extended periods on the unit.

Whilst GEO employ a range of specialist teachers their numbers are not sufficient to staff the education rooms at all times and so generic activities staff are in attendance but are often unable offer help to detainees. A positive aspect of the lower staffing numbers has been the trust placed in detainees to act responsibly. For example, the internet rooms are not constantly supervised. Trust seems to have been repaid with respect both of detainees for staff and staff for detainees.

An area that needs further attention is the gym facilities. Whilst the gym available to detainees in the hostel style accommodation (Cedar and Dove units) is well used the gym equipment available in the new prison accommodation is used infrequently. This is partly as a result of lack of encouragement from staff and partly as a result of key pieces of equipment needing to be requested from the staff base.

Access to e-mail and the internet is very important to detainees both for staying in contact with family and friends and to find out information particularly in relation to their immigration case. GEO and UKBA were aware of the importance of the internet and arranged for space in the new prison-style units, except in Fir unit, to be made available for computers. However, towards the end of 2010 there were increasing complaints about the speed of access to the internet.

5.3 Healthcare

Healthcare has been an area of particular concern over the last 18 months. The service at Harmondsworth is sub-contracted by GEO to The Practice plc, a healthcare company that provides medical services to several prisons and one other IRC.

The costs of all the services (pharmacy, nursing, GP's, dentist, psychiatrist) are paid for through UKBA's contract with GEO. The NHS provides secondary care mainly through Hillingdon Hospital where use is made of the A&E department, referrals to specialists including mental health, the sexual health outpatients clinic and TB services.

Harmondsworth is the only IRC that has healthcare wards and one of only two that provides a methadone reduction programme. Healthcare issues are, therefore, likely to be more prominent at Harmondsworth than in other IRCs.

5.3.1 Inspections and Reports

In 2010 there were three reports on healthcare, each resulting in many recommendations for improvements.

An HMCIP report at the beginning of the year report concluded that "healthcare was unacceptably poor – both in terms of the approach of healthcare staff and the quality and quantity of provision, particularly in relation to mental health, primary care and clinical governance. This requires urgent attention". (p.5 of HMCIP Inspection Report).

The report made 60 recommendations relating to healthcare all of which were accepted by UKBA (one in part and three in principle). However, 12 months later, according to UKBA, only 22 of the recommendations have been fully actioned, four part-actioned and 34 await action.

In February 2010 the Hillingdon Primary Care Trust carried out a Health Needs Audit of Harmondsworth and Colnbrook IRCs. This report largely focused on the role of the NHS in providing services to detainees. The report was paid for by the London Strategic Health Authority because of “increasing issues relating to those requiring section under the Mental Health Act”. The report argues for better coordination between UKBA and the NHS and contains 32 recommendations.

In November 2010 an audit of healthcare was carried out on behalf of UKBA by a GP from another IRC. This, unlike the two previous reports, was a benchmarking exercise not only against good practice but also against the specific requirements of GEO’s contract with UKBA. This report resulted in the production of 57 action points.

GEO and its healthcare sub-contractor still have a mountain of recommendations to climb.

5.3.2 Healthcare management and staff

The IMB notes that despite the desire of senior management to make improvements to the service this has proved difficult to achieve. Challenges included the extent of the changes required, the difficulty of appointing a permanent head of healthcare (the post was filled on an acting basis from June 2010 to early 2011), and the difficulty of motivating staff within a detention environment to provide a service that is – and is seen to be – caring by detainees and equivalent to the external NHS.

At the end of 2010 it was still a matter of note for the IMB, if a detainee paid healthcare a compliment. Detention Custody Officers were, surprisingly, often seen as more caring than healthcare staff. The lack of a caring attitude by healthcare staff was observed by IMB members, reported to us by detainees, and raised in official complaints (See section 5.4.4 of this report on the formal complaints system).

5.3.3 Internal medical appointments

Because of a long history of missed appointments – the Board had a discussion with the then Healthcare Manager in November 2009 – the Board requested formal monitoring of appointments. This was undertaken from August to December 2010 and found that each month between 30% and 40% of appointments were not attended by detainees. We have continued to request an analysis of the reasons for non-attendance.

5.3.4 External appointments

Attendance at external appointments was also monitored from August until December 2010. In August 33% of external appointments were not attended. It was good to see that there were no cancelled external medical appointments in December and a more pro-active approach has been adopted by GEO and their healthcare sub-contractor.

5.3.5 Mental ill health

Our concern about the care of those with mental ill health needs remains the same as last year. Detainees with significant mental health needs sometimes languish at Harmondsworth because external beds cannot be found for them or because their needs, while significant, do not warrant their being sectioned under the Mental Health Act. This is distressing for them, for staff and for other detainees.

There is still no counselling service available to detainees despite the recommendation of HMCIP and the increasing availability of “talking therapies” in the wider community.

5.3.6 Substance Misuse

The healthcare service at Harmondsworth provides a methadone reduction programme. Since the expansion of the Centre in August there have been between 7 and 13 detainees on the detox programme at any one time.

Some detainees have found the reduction of methadone difficult to cope with and have approached the IMB for help. Currently there is no Detention Service Order (Instruction from UKBA to its staff and contractors) which is akin to the Prison Service Instruction (PSI 45/2010) “Integrated Drug Treatment System”.

5.4 Safer Custody

5.4.1 Use of Rule 40 and 42 Accommodation and Control and Restraint (C&R)

Since the opening of the new prison design accommodation the cells used for Rule 40 and 42 are interchangeable, all being in Elm house. Although those on Rule 40 are housed with their door unlocked/open, the bare nature of the rooms and their isolation from the rest of the centre make the distinction between the two rules limited.

The IMB is pleased to note the significant fall in the use of secure (Rule 40) and segregated (Rule 42) accommodation and of the use of control and restraint techniques (C&R) in 2010 compared to previous years.

	2010	2009	2008
Rule 40	197	260	284
Rule 42	56	63	124
C & R	55	70	103

The reduction is quite remarkable given that the centre doubled in size halfway through 2010. Even more remarkable is the fact that the reductions continued into the second half of the year. In the first 6 months of 2010 Rule 40 was used 111 times, reducing to 86 in the second half of the year. There is a similar pattern for Rule 42 with a reduction from 38 instances in the first six months to 18 in the second six months.

Although C&R has shown a reduction year on year it has been used more in the second half of 2010 than in the first half (17 instances rising to 38 in the second half of the year).

In the second half of 2010 there has been a substantial increase in the number of detainees leaving the centre being escorted onto planes and to their destination. An escorted removal means the detainee is accompanied by at least two officers, generally employed by G4S. There appears to have been an increase in the use of Harmondsworth as a gathering point for detainees leaving the UK on flights chartered either exclusively by the UK Government or in association with other European governments.

There is no independent monitoring from the time that detainees leave Harmondsworth with only limited monitoring at airports. There is an Independent Monitoring Board at Heathrow airport but no monitoring at Luton or Stansted which are currently UKBA's preferred airports for charter flights.

5.4.2 Self-harm

There were 85 instances of actual self harm in 2010. It is not possible to realistically compare this with 2009 as in that year of the 155 incidents of self-harm, 103 instances were contributed by one prolific self-harmer. The number of instances in 2008 was 98.

Centre staff have clearly defined processes for working with detainees who have self-harmed, and those thought to be at risk. In 2010 detainees thought to be at risk of self-harm have been less frequently isolated on a constant watch in a healthcare ward. How and where to support detainees who are at risk of self-harm is a difficult judgement call for GEO staff.

5.4.3 Rule 35 of the Detention Centre Rules

Rule 35 exists as a safeguarding mechanism to flag up if someone is unsuitable for detention on health grounds – and particularly if they have been a victim of torture. The rule states: "The medical practitioner shall report to the manager on the case of any detained person whose health is likely to be injuriously affected by continued detention or any conditions of detention..... The medical practitioner shall report to the manager on the case of any detained person who he is concerned may have been the victim of torture."

Under UKBA procedures, Rule 35 referrals made to UKBA by healthcare are to be passed to caseworkers for response. The caseworker's response should be rapidly passed back to the detainee and to healthcare.

In February 2011 UKBA published an audit of Rule 35 which was based on reports submitted in November and December 2009. The audit found that in 91% of cases, following consideration of the report by the medical practitioner, caseworkers decided that detention should be maintained. The charity Medical Justice is active in challenging these decisions.

We do not monitor casework decisions but monitor to ensure that proper procedures are operated at the IRC.

Monitoring by the IMB found that of 29 reports made by healthcare staff at Harmondsworth in the five months from August to December 2010 there were only 7 responses recorded as received by healthcare by the end of each month.

UKBA's Audit Report says that procedures are being tightened. We were surprised to find that even in April 2011 local UKBA staff were unsure of the correct procedure for informing the doctor and the detainee of the outcome of the referral.

5.4.4 Complaints

For the Centre to feel safe to detainees it is vital that there is, and is seen to be, an effective complaints system.

In 2010 the IMB has been active in monitoring this formal complaints process which is managed by UKBA Detention Services. Complaints received are allocated for reply to one of 3 places: GEO the contractor, for issues related to the delivery of services at Harmondsworth; to the UKBA's Professional Standards Unit for cases of alleged serious misconduct; and, to case working Management for immigration issues.

The IMB has access to complaints and responses provided that the detainee has not indicated otherwise by ticking a box on the complaint form.

84% of complaints allocated to GEO were responded to within 10 working days (15 days for misconduct cases). In October complaints were not delivered to the Detention Services headquarters Customer Service Unit. The error was picked up when a detainee approached an IMB member about the lack of response to a complaint he had made.

A total of 233 service delivery complaints were responded to in 2010 by GEO as follows:

Category	Number of complaints	percentage of total (rounded)	Number substantiated	percentage substantiated
Medical	102	44%	22	22%
Minor misconduct / unprofessional conduct	34	15%	6	18%
Property	30	13%	9	30%
Catering	20	9%	4	20%
Accommodation	13	6%	4	31%
Availability of services	12	5%	8	67%
Poor communication	12	5%	4	33%
Complaint handling	1	<1%	1	100%
Other	9	4%	0	0%
Total	233		58	25%

It can be seen that the greatest number of complaints relate to medical matters whereas across all IRC's the greatest number of service delivery complaints relate to property matters, with medical complaints taking second place.

Of the six substantiated complaints relating to minor misconduct / other unprofessional conduct two related to nursing staff, in one case swearing at a detainee and refusing to

provide medication and in the other case banging the door in the detainee's face and refusing to help. Apologies were offered and an explanation that the staff were from an agency and would not be working in the centre in future. The remaining four complaints related to GEO wing officers and were cases of rudeness, or in one case apparent lack of care when a detainee fainted and the officer was very slow to react to the other detainees asking for his help. Apologies were offered.

Responses to complaints are made by the appropriate GEO manager, using a template letter provided by Detention Services Complaints, which the IMB finds over-wordy, especially when it is meant for someone who may have a limited command of English.

Cases of alleged serious misconduct are allocated to UKBA's Professional Standards Unit (PSU) for investigation and responses are expected within 12 weeks. In 2010 there were 12 complaints passed to the PSU.

Of these twelve, by early March 2011:

- Four related to centres or escorts other than Harmondsworth
- Two replies have been seen by the IMB, both complaints were unsubstantiated
- One letter was not provided by PSU as the complainant had left the UK with no contact address
- One case was closed with no report issued due to the medical condition of the detainee
- One case was suspended by the PSU due to police involvement
- Three investigations were still ongoing

Case-working (immigration) matters.

In 2010 there were 32 complaints allocated for reply to other parts of UKBA, generally these relate to immigration matters. Monitoring these complaints is within the remit of John Vine, the Chief Inspector of Immigration, rather than the IMB.

5.5 Work opportunities for detainees

There has been a substantial increase in work opportunities available to detainees who are paid £1 an hour (up to a maximum of £25 per week) to work in the kitchen, the food serveries, to clean communal areas, and to act as buddies to other detainees. This has been a positive experience for those detainees who have jobs, providing structure to the day and an alternate focus. For example, a detainee who was on a detox programme (reducing amounts of methadone) and who had self-harmed was given a job helping in the dining hall. In order for work to be effectively organised, jobs will tend to be held by the long staying detainees.

5.6 Food

The IMB did not record many issues related to food this year and there have been only 20 formal complaints about food made to UKBA by detainees. A board member ate a meal at the centre with detainees at least once a week throughout the year and members generally found the food to be adequate or tasty.

Given that the catering department has had to employ more detainees in the kitchen and fewer staff, more than double the number of meals delivered, and deliver these meals to six main serveries rather than two, it is to be commended on its achievements.

Section 6

THE WORK OF THE INDEPENDENT MONITORING BOARD

Harmondsworth IRC is a complex place to monitor. The Board has a duty to monitor both the overall running of the centre and to address the concerns of individual detainees, who ask to see us. Detainees can make a formal request to see an IMB member by placing a note in IMB post boxes located at key sites, or they stop members as they see them around the centre.

The board had two members on call each week during 2010 so that generally four visits a week were made to the centre. The reports produced from these visits have received rapid response from GEO. However, response from UKBA is sporadic.

In addition to being on duty in a particular week board members also take responsibility for monitoring particular themes, for example long term detention, complaints made to UKBA, healthcare and children. The board also holds a formal meeting with the centre manager and the UKBA local manager once a month, to discuss current issues.

The board was pleased to note that in the detainee survey conducted by HMCIP during its January 2010 inspection of Harmondsworth, 26% of detainees said it was easy or very easy to contact the IMB, against 16% in comparable centres and 22% at the time of the last inspection in 2008.

Three new members joined the board in 2010 and two resigned, leaving a team of 11 people at year end. Board members have diverse backgrounds and experiences. We are a team of: 6 men/5 women; 7 working/4 retired; 4 with an ethnic minority background.

Hashi Syedain – Chair 2010

Michael Moor – Chair 2011

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Note: All statistics in this report, except where stated otherwise, have been obtained at Harmondsworth IRC and are not audited.