



**ANNUAL REPORT FOR 2011
OF THE INDEPENDENT MONITORING
BOARD FOR HASLAR IMMIGRATION
REMOVAL CENTRE**

Statutory Role of the Independent Monitoring Board (IMB) for Haslar Immigration Removal Centre (IRC)

The Immigration and Asylum Act 1999 requires every IRC to be monitored by an independent Board appointed by the Home Secretary from members of the community in which the centre is situated.

The Board is specifically charged to:

- (1) satisfy itself as to the humane and just treatment of those held in immigration removal centres.
- (2) inform promptly the Secretary of State, or any official to whom he has delegated authority as it judges appropriate, any concern it has.
- (3) report annually to the Secretary of State on how far the immigration removal centre has met the standards and requirements placed on it and what impact these have on those held in the centre.

To enable the Board to carry out these duties effectively its members have right of access to every detainee and every part of the centre and also to the centre's records. Although appointed by Home Office Ministers Board members are unpaid volunteers and are independent of both Her Majesty's Prison Service (HMPS) and the United Kingdom Borders Agency (UKBA).

As such they are the only independent presence in the Centre on a day-to-day basis.

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1.1 A Brief Guide to IRC Haslar

The Victorian buildings at IRC Haslar were originally used as a RN barracks, then as a Royal Naval prison and later as a Young Offenders Institution (YOI), until taken on by the Immigration Services - now the UKBA - as an Immigration Removal Centre (IRC) in 1989.

The IMB understand that as an IRC Haslar is not required to be categorized. The Centre has a capacity for 160 males over the age of 18. This year the Board has noted that during the reporting period (1stDecember 2010 – 30th November 2011), from a high of some 80% four years ago, the number of ex-foreign national prisoners (ex-

FNPs) within IRC Haslar has reduced, but somewhat erratically. In the month of August 2011 no FNPs at all were transferred to Haslar. In October 17 FNPs were transferred to Haslar. There is no doubt that some FNPs bring with them habits acquired in prison which are potentially disruptive to the establishment. Quite apart from anything else the ability of a prisoner to smoke in his cell contrasts with the prohibition of smoking in the Haslar dormitories.

In 2010 refurbishment of the dormitories meant that total numbers were frequently as low as 120. **However in the weeks after the urban riots there was a dramatic reduction in occupancy levels to about 50% of capacity. There was no authoritative explanation from UKBA for this - leading to unnecessary speculation by staff and detainees about the possible reasons. Staff morale was undoubtedly affected. Numbers have slowly built up again in subsequent months.**

Detainee accommodation consists of six dormitories, linked by a main corridor and divided into cubicles – mostly housing two or three detainees. In all dormitories, there are shared WCs, showers, washrooms and communal areas with Free View television. There seems little doubt that the availability of television in each cubicle militates against participation in educational and other activities (such as use of the gym). Internal extension and payphones are installed, although detainees may use basic (ie without a camera facility) mobile telephones – often provided by the Haslar Visitors' Group (HVG). A limited fax service is also available. In 2011 an internet facility became available to detainees and despite some incidents when detainees sought to view inappropriate material this seems to be working well and was warmly welcomed by the Board.

Meals are freshly prepared within the Centre and served in the Dining Room, which can accommodate 132 at one sitting. Catering services are provided by HMPS. A shop in the main corridor supplies telephone cards, toiletries, snacks and sweets. The Centre's administrative staff also operate a limited mail order service. Hot water dispensers in the dormitories enable detainees to prepare instant snacks or drinks at all times.

On-site laundry services are operated by Centre staff.

Detainees have access to educational courses, run by Highbury College. Library facilities are provided by Hampshire County Council. A sports hall, multi-gym and extensive playing fields allow for a varied programme of sporting activities, supervised by Centre staff.

The buildings are maintained by the onsite HMPS Works Department.

A Christian Chaplain (supported by the Salvation Army) leads a team of religious leaders including regular attendance by an Imam. Acts of worship take place in the Multi-faith Centre or elsewhere. Strenuous efforts were made in 2011 to support all the major religious faiths and their respective festivals. **The conduct of Ramadan and the associated provision of special meal arrangements were well handled throughout by both management and staff. Some IMB concern has been expressed over the need for services at the time of the major Christian festivals to be better resourced.**

The medical care is provided by healthcare staff from Solent NHS Trust during normal day working patterns. Secondary care is provided by the local hospital trust. Emergency cover is provided by the Out of Hours service.

The Medical Officer and his practice cover the daily surgeries. The reduced dental care arrangements introduced in the previous year have not provoked any complaints from detainees.

Families, friends and legal advisers are able to meet detainees in the Visitors' Hall, which has interview rooms for legal consultations, a room set aside for a video link which is used for Court appearances, and a play area for children.

The Centre's Welfare Officer, provided by HMPS, is a great asset in dealing with and advising detainees with their problems. **The current officer has continued to operate very effectively, but it is important that his role is not a substitute for a proactive approach to all detainees by their respective dormitory officers. Ensuring that there are adequate deputizing arrangements in place for this officer (when on leave or off-duty) has been a concern to the Board.**

Cleaning services are contracted out to Quality Assured Services. The Board is again pleased to note that the overall standard of cleanliness within the Centre has visibly improved.

Voluntary organisations which visit the Centre include The Salvation Army, the Citizens' Advice Bureau, and Music-in-Detention. The Haslar Visitors Group provides moral and other support (for example the provision of mobile phones) including the befriending of individual detainees.

1.2 ANNUAL REPORT INTRODUCTION

This annual report is required by the Ministry of Justice to cover the period from 1st December 2010 to 30th November 2011. The Board again regrets that photographs are not permitted by the IMB Secretariat (for IT capacity reasons) to be included in the report as visual images would probably encourage more interest from third party recipients. The IMB Annual Report 2011 concentrates on matters which have come to the Board's attention within the year and are worthy of note by all recipients of this report – especially the Minister, UKBA, and HMPS. **Enquiries about the report should be addressed to:**

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2. EXECUTIVE SUMMARY

Management: Generally the Centre has maintained a proactive attitude to the wellbeing of the detainees held there. The positive ethos developed by the last Centre Manager Vicky Baker has been sustained by her successor Ian Young. IMB members were very appreciative of the work done by Vicky Baker, but have welcomed the way in which Mr Young also sought to build on this and to work closely with the Board. However it is a matter of regret that Mr Young moved away so soon after taking over as Centre Manager. Over a number of years the Board has been appreciative of the assistance given to them by Neil Howard (as Deputy to both Ms Baker and Mr Young). Following his appointment away from Haslar the Board will miss his willingness to speak openly to them about problems and to share management thinking.

Community Engagement: The Board considers that the efforts made in 2010 by management and key staff to adopt a more outward looking approach to the work of the Centre and to engage the local community have not been fully sustained in 2011. Staffing changes may be the reason for this, but the Board hopes to see such initiatives (Families' Days, Community Engagement events, etc) resumed in 2012.

Dormitory Officers: The Board continues to take the view that staff attitudes to detainees are crucial both to the wellbeing of detainees and the general mood within the Centre and believes that these have been improving over recent years. The role of dormitory officers is a key component of this. **In the view of the Board there is still some way to go before all dormitory officers adopt the best practice that others have already achieved.**

Reception Arrangements: In 2011 the Board again paid very close attention to the work of reception and the induction processes for newly arrived detainees. **On occasions there were manifest failings by both DEPMU (Detainee Escorting and Population Management Unit) and Reliance. An especially bad case towards the end of the year was the delivery to the IRC of more detainees than Haslar could accommodate. This resulted in detainees being held on their van for an hour or so whilst the matter was sorted out and then transported to HMP Lindholme near Doncaster.**

Yet again there was far too frequently inadequate documentation accompanying detainees from other parts of the UKBA estate when they arrived at Haslar. The Board can only repeat that Haslar detainees are still housed within dormitories – albeit in a shared cubicle –and hence it is essential that Detainee Transferable Documents (and medical details) contain all relevant information on which Reception staff can make a valid judgment about the allocation of accommodation and the care of the incoming detainee. The following examples apply:

- A. One case of concern to the Board involved an Iranian detainee arriving from Colnbrook assessed as low risk for “cell sharing”, but self-evidently in a high risk category once his prison record had been examined at Haslar.**
- B. A convicted sex offender arrived at Haslar and – despite his being on the national sex offenders register – this information was not initially disclosed.**
- C. There was also a case in 2011 when a detainee was woken at 5.00am in another IRC and transferred to Haslar – only to have the transfer cancelled after his arrival because he was undergoing treatment for a serious condition. As such he was immediately returned to the other IRC, but this illustrated the scope for the DEPMU system of detainee movements to operate dysfunctionally.**

Property: Property-related complaints by detainees about the alleged loss of belongings within the immigration estate have continued to feature throughout 2011. **The Board is uneasy about two aspects of this.**

- 1. Detainees at Haslar generally go out of the detention estate slightly quicker than was the case and it is imperative that complaints relating to property are fully resolved before they leave the UK.**
- 2. The Board appreciates the reasons for the temporary confiscation by UKBA of cash held in significant amounts when a detainee is initially detained. However**

the Board wishes to make the following points: (i) it seeks clarification about the mechanisms that exist for a detainee to dispute that such cash has been illegally acquired and (ii) it urges that cash which is not confiscated is always returned to the detainee in advance of his departure from the immigration estate. In the view of the Board it is not acceptable for such funds to be returned to a detainee in his country of origin.

Disclosure of relevant detainee information to HMPS: The Board noted the use of aliases by a small minority of detainees and the potential problems this can cause. In 2011 an IMB member recognized a detainee who had been in the IRC in 2008, but had not been identified as such because he was using an alias. Similarly the Board has been concerned that in 2011 at least one detainee re-entered Haslar and was recognized by IMB members as being previously held there without this information being disclosed by UKBA to HMPS. This was especially relevant as the detainee concerned was troublesome during his initial detention in 2008 and replicated this behaviour in 2011 leading to his transfer away from the IRC to alternative custody.

Use of handcuffs: The Board wishes to emphasize the importance of forewarning detainees going to hospital appointments, opticians, etc that they will be handcuffed when taken out of their transport. Wasted journeys can result from detainees refusing to co-operate because they were not previously aware of this requirement.

Long Stayers: The Board very much welcomes the facility for their members to be aware of the identity of long-stay detainees and hence to have the opportunity to talk with them about any particular problems which they are experiencing. This was a major issue in their 2010 report and members are very pleased to see it resolved. However the Board was deeply concerned that immediately prior to the end of the reporting year there were several very long-stay detainees. One of these had been in UKBA custody for over three year - albeit not entirely within Haslar. At the very end of the reporting year several of these long-stay detainees were released into the community. Obviously this was welcomed by the Board, but it was quite clear to Board Members (and confirmed by HMPS staff) that “institutionalization” of these detainees had occurred. The longest stay detainee was by then apprehensive as to how he would cope outside IRC Haslar, and was resisting release.

Smoking and Fire Risk: The Board has always been concerned about the risk of fire within the dormitory accommodation of this IRC. Smoking within the dormitories is a breach of the law, but IRC management has limited sanctions for preventing this. The Board is very aware that tensions within the IRC between smokers and non-smokers sometimes lead to violence and that UKBA/HMPS may be liable for legal action by detainees who have been exposed to passive smoking. **The Board recommends that urgent consideration should be given to effective sanctions against those who persistently smoke illegally within the IRC**

Dormitory Representatives: Bona fide consultation with detainees has been a crucial part of the “Haslar culture” and has the potential for contributing significantly to good relations between detainees, staff, and management. **However this presupposes that detainee representation is properly implemented – each dormitory needs at all times to have at least one detainee representative and preferably a deputy as well. Detainee Consultative Committee meetings need to always have a representative from each dormitory who is fully aware of all that his role entails.**

Other forms of representation such as the newly formed Equalities Group need to secure (and if necessary incentivize) detainees who can fully represent the very diverse ethnic population of the IRC.

3. MATTERS REQUIRING A RESPONSE

- 1. Failure by other IRC establishments within the UKBA estate to properly complete Detainee Transferable Documents so creating a risk of Haslar staff not having adequate information about incoming detainees prior to their allocation to dormitory accommodation (as featured in 2010 report)**
- 2. The need for improved and better collated arrangements for tabulating, monitoring, (and acting promptly upon) complaints from detainees to UKBA. The present system is difficult to scrutinize and outcomes are sometime determined after a detainee has left the UK. As featured in the 2010 report the Board wishes to see appropriate measures initiated to alter and improve UKBA (or HMPS) procedures when current ones are exposed by a complainant as being inadequate. The Board again recommends that any future UKBA complaints documentation process (and reporting format) incorporates scope for including this.**
- 3. Assurance of measures to improve performance by DEPMU (Detainee Escorting and Population Management Unit) and Reliance**
- 4. Consideration of the IMB proposal that HMPS should formally report those persistently breaching smoking restrictions to their UKBA caseworker so that such non-compliance with both IRC rules and the legal requirements of the UK are (inter alia) taken into account when determining applications to remain in the UK.**
- 5. Where UKBA files contain information about a detainee having been previously held within the establishment such information should always be communicated to the HMPS as managers of the IRC.**
- 6. Confirmation of the measures being taken by UKBA to address the problem of long-stay detainees (i.e. over two years) and to deal with the risk of institutionalization that appears to have occurred with some of them.**
- 7. Assurance that optimum measures will be in place in 2012 to ensure that detainee representation on all consultative bodies is as representative as possible of the detainee population and reflects the current concerns of their respective constituencies – either ethnic or dormitory-based.**
- 8. Assurance that HMPS procurement arrangements will in future prevent the type of meat contamination identified below in Para 7 (Catering & Kitchens section) of this report.**

4. OTHER ISSUES

The Board has developed its own protocol for better monitoring of Healthcare-related issues without infringing patient confidentiality. This has been shared with other IRC Chairs through the IRC Chairs Forum.

The Board continues to be concerned about the effect of long term detention (over a year) on a small minority of detainees and regrets that in 2011 two Haslar detainees had been in the establishment for over two years.

Smoking in dormitories remains a serious issue both because of the fire risk and also because of the extent to which it exacerbates tension between smoking and non-smoking detainees. The Board commends the efforts being made by the Head of Residence to get detainees to comply with the legal requirement that they only smoke in designated areas.

5. OVERALL VIEW

The Board has generally been pleased with the HMPS management of the Centre in the past year.

There is still scope for the quality of care exercised by some Dormitory Officers to be improved.

The Board is still concerned that many detainees continue to complain about lack of feedback on their cases and their complaints from UKBA.

Board members remain concerned least staffing levels at night should reduce to a point where security is threatened. The capacity of the existing staff complement to cope with major emergencies such as a fire, large scale disturbance, or the hospitalization of a seriously ill detainee worries Board members.

6. MANDATORY REPORTS

• Diversity

Work on Diversity has now been transferred to an Equalities Working Group. The Board takes the initial view that this will only achieve its intended aims in an establishment such as Haslar if the participation of detainees is managed extremely carefully and flexibly to allow for the relatively short period the majority of them stay within the establishment. The Board remains aware that racial tensions do exist – generally between African and Chinese detainees – but seldom result in outright confrontation. Avoiding the concentration of any particular ethnic group within a dormitory has been an important factor in minimizing such tensions.

• Learning and Skills

As previously reported the enthusiasm and dedication of the Education Department staff contribute to the reduction of tensions within the IRC and help to create a sense of purpose and self-worth for detainees which are important to the overall mood within Haslar. It appears that the facility for watching TV in individual cubicles has militated against optimum detainee participation in the excellent educational courses available. The Board was concerned that financial cut-backs resulted in some reduction of Education Department staff and will seek to monitor the effects of this.

Average age of detainee attending classes: 32

Ave Class Size: 7

External Certificates issued: 226

Internal Certificates issued: 735

• *Healthcare and Mental Health*

The Board has continued to monitor the number of cancelled medical appointments and where appropriate to inquire into the reasons for these. The appointment of a new contractor for transport (Reliance) created serious problems earlier in the year, and these had not been resolved at the year-end. **One detainee was unable to make three appointments with his consultant as a result of booked transport being cancelled - resulting in him being taken off the consultant's list and then having to be re-referred to hospital. This is totally unacceptable.**

• *Safer Custody*

The Care Suite has had relatively little use in 2011. 29 ACDTs were opened in the year. ACDT procedures appear to have generally worked well although it is important that IMB members are always advised of an ACDT having been opened when they are on Rota duty.

• *Special Accommodation Units*

With the establishment of the Care Suite the SAUs have been predominantly used for detainees involved in some form of anti-social behaviour or for protection from aggression by other detainees. IMB members have sought to always see those in SAU as soon as practicable and in all cases within 24 hours of a detainee being taken into an SAU. HMPS figures for the past year are that the ligature-free room was used on 15 occasions (including 7 non-ACDT cases) and the other SAU room was used on 11 occasions (none of which were ACDT). The Care Suite was used on 3 occasions (for health reasons and for the detainee's own protection).

7. OTHER ASPECTS OF THE HASLAR IRC REGIME

Catering & Kitchens

Although complaints about food do occur from time to time it is the view of the Board that generally the meals served are adequate and sometimes excellent. It is not unusual for Board members to ask detainees what they thought of a meal and to have a series of positive response. The Board commends the practice of having hot meals available to detainees on arrival in Reception. Board members normally eat meals with the detainees as a matter of course and it has been pleasing to see the number of managers who also do so. There has been a marginal increase in the funds available to feed each detainee. **During the past year the Board was extremely concerned by an incident which revealed that Halal diced lamb procured by HMPS from an Irish abattoir via a Hampshire food processing company had been seriously contaminated with wool/hair. The Board reported this to the Food Standards Agency after getting the impression that the higher echelons of the HMPS procurement department were not sufficiently interested in following up this serious breach of food hygiene.**

Gym and Physical Education

The gym is used by detainees (and staff) and provides a useful and important outlet for the energies of the many fit young men detained in the IRC. Detainee participation has fluctuated – possibly as a result of TV being available in cubicles..

Security

Regular and effective room searches are regarded as important. These frequently reveal the existence of cigarette lighters (to enable detainees to smoke illicitly in their cubicles or dormitory areas). One IMB member regularly attends the Security meetings and reports back to the Board. The vital importance of Board members

being alert to matters which should give rise to completion of an SIR was stressed in a presentation to the Board by a member of Haslar staff.

8. WORK OF THE INDEPENDENT MONITORING BOARD

The Board started the year with 11 members (one of whom never took up her full duties owing to health problems and resigned consequent on a recommendation in the Triennial Review). At the conclusion of the calendar year two valued members stepped down from the Board (one after 30 years of service on BOVs and IMBs). Later in the year two members moved away from the Hampshire area and another decided to retire from the Board so reducing the Board's strength to five. There has been an active recruitment policy resulting in one applicant being recommended for appointment and three further applicants called to interview in October. **It has been extremely unfortunate that changes to security clearances for these potential members drastically delayed their full access to the IRC and their IMB training.**

Several other potential applicants have been shown round the IRC by the Board Development Officer. The BDO Ian Anderson obtained a Master's Degree in Criminology during the past year and the subject of his thesis was the differences between IMB work in prisons and that conducted in IRCs. The Board commends this thesis to all concerned with the role of the IMB as an important and authoritative contribution to understanding the essential differences (as well as the similarities) in the two roles.

Board members visited both Brook House and HMP Ford earlier in the year.

Members regularly attend the weekly Detainee Consultative Committee meetings as part of their Rota week duties and one member goes to the Non-English speaking version of this. There has been IMB attendance at Security, Healthcare, and Diversity meetings, although the later has now been reconvened as an Equalities group.

The Board sent representatives to the AGM of the Haslar Visitors Group.

Members have attended occasional Sunday services in the IRC in addition to the annual carol service.

The Board was concerned that the initial draft of the Service Level Agreement between UKBA and HMPS in relation to IRC Haslar was extremely inaccurate in its definition of the IMB role. Closer liaison between UKBA and HMPS within Haslar would be very much welcomed by the Board as a means of resolving issues which impact adversely on detainees. The Board welcomed Mr Young's aspiration to bring this about on a more structured basis, and hopes that Natasha Wilson as the current Acting Centre Manager can continue to progress it.

The Board has been concerned throughout the past year by the reduced level of support available from the national Secretariat – including the non-availability of financial data on a monthly basis and the many changes in staffing (which subsequently lead to other staff having to be recruited to replace them). Service from the Secretariat has undoubtedly been reduced as a consequence.

Most importantly no week has passed without at least one member making a thorough tour of the Centre, observing the facilities for and treatment of detainees, and providing an opportunity for them to submit applications to him/her – either in writing or verbally.

Recommended complement of the Board: 12

Board members at the beginning of the reporting period: 11

Board members at the end of the reporting period: 5

New members joining (on a provisional basis subject to security clearance) within the reporting period: 4

Members leaving within the reporting period: 6

Average attendance at monthly Board Meetings: A minimum of 4 has generally been achieved throughout the year and normally all 5 members have been present

Number of Board meetings: 12

Total number of visits to the Centre in 2010/11 (including meetings): Aprox 150

Total number of visits to the Special Accommodation Unit: 26

Applications made to IMB members: Board members received a total of 63 applications of which 49 were verbal and 14 written.

Yet again the main issue raised in applications was :

Problems with UKBA case work

Other issues raised in more than one application were:

Allegations of discourtesy by staff

Loss of property

Stress from detention

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