

ANNUAL REPORT

2015



Independent Monitoring Board

HEATHROW

IMMIGRATION REMOVAL CENTRES

1. STATUTORY ROLE OF THE IMB

Every Prison and Immigration Removal Centre (IRC) in England and Wales has an independent monitoring board (IMB) 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 monitored the Heathrow Immigration Removal Centres, which comprises two adjacent sites close to Heathrow Airport known as Harmondsworth and Colnbrook.

The Board is specifically charged to:

- (1) satisfy itself as to the humane and just treatment of those held in the Centre.

- (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 Heathrow IRCs has met the standards and requirements placed on it and what impact these have on those held in the Centre.**

This report has been produced to fulfil our obligation under (3) above.

Independent Monitoring Board at Heathrow IRCs

Annual Report 2015

2. CONTENTS

1. <i>STATUTORY ROLE OF THE IMB</i>	<i>i</i>
2. <i>CONTENTS</i>	<i>ii</i>
3. <i>DESCRIPTION OF HEATHROW IMMIGRATION REMOVAL CENTRES</i>	3
4. <i>EXECUTIVE SUMMARY AND RECOMMENDATIONS</i>	5
4.1. Progress of Recommendations made in the 2014 Annual Report ...	5
4.2. Recommendations in this report	6
5. <i>AREAS OF GENERAL INTEREST</i>	8
5.1. Equality and Inclusion	8
5.2. Education, Learning and Skills	10
5.3. Healthcare and Mental Health	11
5.4. Purposeful Activity	14
5.5. Resettlement: Movement of Detainees, Contact with Outside	15
5.6. Safer Custody	16
5.7. Segregation, Care and Separation, Close Supervision	17
5.8. Residential Services	18
6. <i>AREAS OF SPECIFIC CONCERN FOR THE BOARD</i>	21
6.1. Length of Detention	21
6.2. Property	21
6.3. Complaints	22
6.4. Serious Incidents	26
6.5. Induction Unit at Colnbrook Site	27
6.6. Charter Flights and Paid for Flights	28
6.7. Staffing and Resources	29
7. <i>THE WORK OF THE IMB</i>	30
7.1. Board Statistics for 2015	30
7.2. Issues raised in requests to see IMB	30
8. <i>GLOSSARY OF ABBREVIATIONS USED</i>	31
STATUS OF PREVIOUSLY REPORTED MATTERS	32

3. DESCRIPTION OF HEATHROW IMMIGRATION REMOVAL CENTRES

Heathrow Immigration Removal Centres (HIRC) is situated about two miles away from Heathrow Airport, and comprises two physically separate sites known as Harmondsworth IRC and Colnbrook IRC. Harmondsworth site provides accommodation for up to 676 males, and Colnbrook provides accommodation for up to 369 males and 27 females. It stands a couple of hundred metres north of the Colnbrook-bypass section of the main A4 dual carriageway. HIRC has been operated throughout the year by MITIE Care & Custody (C&C), with healthcare provided by Central & North West London NHS Foundation Trust (CNWL).

In August 2014, the contract for both sites was awarded to a single company. There is one overall Management team managing both sites, however limited rationalisation across the two sites has been achieved due to the physical separation of the buildings. Security, and Facilities Management have been combined, and there is now a single visitors' centre covering both sites. Segregation facilities are still maintained on both sites, although if detainees' stays are extended, there is now a process to house them on the Colnbrook site. Facilities related to healthcare, religion, kitchens, shops, gyms and activities continue to be replicated on both sites.

Harmondsworth

This site has two very distinct styles of accommodation:

Cedar and Dove are the two older hostel-style units housing 309 detainees, mostly in two-bedded rooms, but with some three and four bedded rooms. These detainees are restricted at nights to their own corridors of about 20 rooms. Showers and toilets are shared and provided off each corridor. Detainees have access to two tarmac courtyards; one suitable for playing games of cricket or football and one with a grassed area.

Ash, Beech, Gorse and Fir (the Induction Unit), are four newer, prison-style residential units housing a further 367 detainees. This accommodation is built to Category B Prison standard. The rooms contain bunked beds, a washbasin, and a toilet with no seat, behind partial screening. Showers with three quarter doors are located off corridors. Detainees in Ash and Gorse share a courtyard suitable for outdoor games and similarly detainees in Beech and Fir have their own similar outdoor space.

Each room is provided with a television set with a large number of national and overseas channels to choose from. Most detainees have use of their own, or a centre-provided, basic mobile phone and all have access to payphones.

There is a segregation unit (Elm) with six cells for detainees who are removed from association or temporarily confined (under Rules 40 and 42 of the Detention Centre Rules).

Harmondsworth IRC has the most extensive healthcare facilities in the Immigration Detention Estate (IDE), and is the principal centre for male Detained Asylum Cases (DAC) formerly known as Detained Fast Track (DFT) cases. DAC is a speeded up asylum process for people whose cases the Home Office (HO) believes it can determine quickly and who are held in detention while their cases are processed.

There are two entirely different and separate HO teams based at the Centre. The larger is the team of case-workers and support staff for the DAC process, which deals exclusively with the asylum cases of those on DAC. The second is a small team which is part of the Removals Directorate within the HO. It has responsibility to oversee the contracted services provided by C&C and the welfare of detainees. It has no hand in immigration casework but acts as the main conduit of information between detainees and caseworkers located around the country.

Colnbrook

The Centre was built so that difficult male detainees from the whole IDE could be managed with close supervision and care. At first sight the three storey accommodation unit, with its four separate blocks, is reminiscent of a Category B prison.

Accommodation in the four main residential units is arranged in twin rooms, eleven on each of the three floors. All rooms have toilets and washbasins in a partially screened off area, and each block has 12 shower cubicles and a laundry room comprising two domestic washing machines and two domestic dryers. Each room is provided with a television set with a large number of national and overseas channels to choose from. Most detainees have use of their own, or a centre provided, basic mobile phone and all have access to payphones. Each unit has an exercise yard where they can access fresh air and there are smoking shelters provided in each yard. Three of the four yards are large enough to play team games such as cricket and football. Detainees are locked in their rooms from 9pm to 8am. During the day, detainees are at liberty to move around in their units and during the past year the centre has been opened up so that there is free movement around the 4 units except at meal times when detainees have to return to their own units. This gives detainees a welcomed increase in access to the activities corridors. Access to the Gym is on a timetabled basis for each unit.

The main building also contains a separate section which was originally designed as a Short Term Holding Facility (STHF). This section is now used for transitions within the IRC, although the original design of the Centre means that they continue to be physically separate from the main IRC units. There are 50 double rooms with bunk beds, toilets and showers in each room, and televisions receiving national and overseas channels. The ground floor is used as a First Night / Last Night Unit, and the upper two floors are designated as an Induction Unit (IND). These rooms are much smaller and cramped than the rooms in the main blocks. Access to the main activities corridors in the Centre is only available under escort, although once on the activity corridors, detainees have free access to all the facilities.

There is a segregation unit with twelve single rooms and there are a further four single rooms on the second floor which were used for part of the year as an Assessment and Integration Unit (AIU), which housed vulnerable detainees who were being assessed before integration into the main units. This has now been closed.

There is a Female Unit called Sahara Unit (SU) with 27 beds in nine three-bedded rooms, which is situated on the top floor of the separate reception and visitors block, and has a more relaxed regime than the men's units, for example with direct access to IT facilities.

The total capacity of the Centre in the reporting period was around 400. The turnover of detainees has remained high and the number passing through has averaged around 1400 per month, in 2015.

4. EXECUTIVE SUMMARY AND RECOMMENDATIONS

This report covers the year 2015 and is the first for the combined Heathrow IRCs. Previously, the two centres of Harmondsworth and Colnbrook were managed by separate companies and were reported on separately. Each centre also had its own IMB. As the two centres combined, so did the IMBs.

2015 has been a challenging year for HIRC. There has been good progress on updating some of the physical facilities, particularly on the Harmondsworth site, but staff have been overstretched and have found it difficult at times to maintain standards in the Centres. There has been a significant disconnect at times between the main contractor and the healthcare provider that has resulted in a poor level of service to detainees housed in the enhanced care units at both sites, and it took a long time to bring this to a satisfactory conclusion. The Home Office must bear some of the responsibility for allowing this situation to persist.

Overall, the Board are satisfied that at least minimum standards have been maintained but access to some of the added value activities which make such a difference to the detainees' experience was reduced at times during the year. The Board do acknowledge that all parties are working hard to address the issues raised in this report, that progress is being made, but there remains a lot that the Centre can do so that the detainees are treated with the dignity and respect they deserve.

4.1. Progress of Recommendations made in the 2014 Annual Report

In 2014, there were 10 recommendations made in the Colnbrook Report, and 14 recommendations made in the Harmondsworth Report. 5 recommendations were common to both reports, so there were essentially 19 unique recommendations made across the two reports.

The Board found it encouraging that there was a formal response to both 2014 reports from the Minister. An Action Plan was put in place by the Home Office by May 2015 to address our recommendations and the Board were encouraged that this was undertaken so promptly.

The Board were a little disappointed that 6 of the 19 unique recommendations were rejected by Immigration (32%), and in the Board's opinion, some of these matters remain a concern, particularly the lack of an independent review of cases where individuals were detained for over a year. Of the recommendations accepted either in full or in part, there has been good progress on 70% which are now considered either resolved or improving. However, the Board have been disappointed in the lack of progress on our recommendations relating to complaints; night time movements; reserve lists for charter flights; and disabled facilities, see Appendix A for further explanation. Recommendations are repeated in this report where the Board feels that the issues mean that detainees are not held in the decent humane conditions the Board are asked to ensure.

4.2. Recommendations in this report

The recommendations set out below follow the sequence in sections 5 and 6 of this Report. The order in sections 4.2.1 to 4.2.4 does not relate to relative importance.

4.2.1. Recommendations to the Minister of a Policy Nature

- 1. The Board recommend that the Minister instigates a regular review system, independent of the Immigration authorities, for all cases where continuous detention exceeds 12 months. IRCs were only designed for short stays of up to three months and the facilities and levels of care reflect this. The environment is not acceptable for prolonged stays. A review system would ensure that detention cannot become extended without independent scrutiny. (see 6.1)**

4.2.2. Recommendations for Immigration Enforcement

- 2. The Board recommend that the disabled facilities and social care are substantially upgraded as soon as practicable in order to provide physically disabled detainees with respect and dignity during their stay. The regime is difficult for all detainees, but the level of care for physically disabled detainees falls below an acceptable level too often. Failing this, physically disabled detainees should not be housed at HIRC. (see 5.1)**
- 3. The Board recommend that further consideration is given to enabling detainees to access Skype or similar internet voice facility, in an appropriately controlled way, as this would facilitate detainees keeping in touch with family and friends and assist with their resettlement to their own country. (see 5.2)**
- 4. The Board recommend that vulnerable individuals who are assessed as being victims of torture, should not be detained. (see 5.3.3)**
- 5. The Board recommend that Enhanced Care Units should not be used to house vulnerable individuals with serious Mental Health conditions, as the level of care currently available is insufficient for their needs. The regime is difficult for all detainees, but the level of care for those with mental health conditions that fall short of them needing Sectioning under the Mental Health Act falls below an acceptable level too often. Alternatively, the Home Office should negotiate Secondary Care provision for the Enhanced Care Units with NHS England in the contract for Healthcare Provision. (see 5.3.5)**
- 6. The Board recommend that DEPMU should ensure that the next escorting contract seeks to eliminate the need for night time (between the hours of 10pm and 8 am) moves between IRCs on the grounds of decency. (see 5.5.1)**
- 7. The Board recommend that Immigration Enforcement review the provision of Legal Advice to include urgent cover at weekends. (see 5.5.3)**

8. The Board recommend that R40 should not be used to house difficult individuals with Mental Health conditions. They are vulnerable and confinement is not a humane way to address the problems they experience. (see 5.7)
9. The Board recommend that reserve lists for charter flights need to be kept to a minimum and should not be needlessly unsettled by being placed as reserves on more than one charter flight. (see 6.6)

4.2.3. Recommendations for Centre Manager

10. The Board recommend that C&C complete their review of fax facilities and ensure that the provision of fax machines is sufficient to enable all detainees to send and receive faxes promptly. (see 5.5.2)
11. The Board recommend that C&C continue to review the provision of laundry services across both sites and consider replacing the unreliable domestic appliances with industrial equipment both to improve reliability of service and potentially reduce costs over time. (see 5.8)
12. The Board recommend that Facilities Management give a higher priority to repairing facilities and the fabric of the buildings as this is a constant source of detainee frustration. (see 5.8)
13. The Board recommend that continuous stays in FN/LN and Induction units at Colnbrook site should not exceed 7 days. (see 6.5)
14. The Board recommend that the staffing profile should be revisited to take into account a more realistic level of short term absences based on experience so that the Centre can be operated in a way that delivers a more acceptable level of service delivery on an ongoing basis. (see 6.7)

4.2.4. Recommendations to Healthcare Provider

15. The Board recommend that detainees on the Enhanced Care Units and any disabled detainees housed within the general population of the centre should be assessed by Healthcare for their ability to self-care (general ability to perform activities of daily living regardless of whether their issues are physical, mental or learning disability), and where necessary, provide assistance to those with limited ability to self-care (see 5.1 & 5.3)
16. The Board recommend that CNWL/NHS England take urgent steps to implement an effective complaints process and ensure this is effectively communicated to detainees. (see 6.3.1)

5. AREAS OF GENERAL INTEREST

5.1. Equality and Inclusion

The detainee population at HIRC is multi-national and multi-faith and has a wide variety of different needs in relation to food, religion and culture. The ten nationalities most highly and consistently represented in the detainee population each month are Indian, Pakistani, Bangladeshi, Sri Lankan, Afghan, Vietnamese, Chinese, Nigerian, Albanian and Polish. They represent around two thirds of the population housed at HIRC, with the other third comprising a multitude of different nationalities.

HIRC has dedicated staff focussing on race relations, welfare and religious issues who are based within the Centre, are accessible to detainees for advice and support and we believe are very much valued by the detainees. Some C&C staff wear “LGBT lanyards” to make them more visible to LGBT detainees. The IMB is pleased to report that there have been no issues encountered during the year of LGBT discrimination.

5.1.1. Religious Facilities and Arrangements

There are usually significant populations of practising Muslims, Christians, Sikhs, Hindus and Buddhists housed at HIRC and their religious needs are well catered for. HIRC provides worship facilities for these faiths on both sites. Muslims typically comprise over half the detainee population, so Friday prayers take place in the Sports Halls at Colnbrook and Harmondsworth and are popular. Following feedback by detainees, all of the prayer mats used for Friday prayers were replaced during the year and this was well received. The Imam completes a number of prayers each day in the Mosques on both sites, which are also well attended.

The arrangements for Ramadan were more difficult this year, because it fell at the height of the summer. Since detainees were already confined to their rooms before the fast was over, arrangements were made to provide “tiffin tins” which retained heat for a reasonable period of time so that detainees observing the fast had a hot meal to break the fast. There were some initial teething problems with this approach but these were dealt with sensitively and were quickly resolved. Some residents were also concerned that there was no opportunity to pray together when the fast ended due to them all being locked in their rooms. The Imams worked hard to deal with these concerns and overall the arrangements for Ramadan went smoothly.

The Christian Chapel at Colnbrook is a bright and welcoming space with a semi-circular seating area for worship and quiet prayer. A number of services are conducted each week in both the Anglican and Catholic traditions. Access to these services has been improved during the year due to the freer movement within the centre.

The Gurdwara continues to be well used, and the part time Sikh and Hindu faith leaders continue to be visible around HIRC.

There were concerns raised early in the year regarding access to religious leaders when their office was moved to an area not accessible to the detainees, but this was only a temporary arrangement and has now been resolved.

5.1.2. Language Arrangements

HIRC employs a diverse workforce who can communicate with the detainees in a wide range of languages. Staff, detainees and IMB members can also request use of the language line facility if there are no staff available to translate. Literature in the centre is produced in the main languages stipulated by the Home Office.

5.1.3. Cultural Facilities

HIRC has had a cultural kitchen that allows detainees to cook their own meal and then share this with their friends amongst the detainee population at the Colnbrook site for a number of years. The IMB are pleased that a similar facility was opened on the Harmondsworth site during 2015. The kitchens are very popular with detainees and there is a long waiting list to use them. Whilst the Harmondsworth one was being mobilised, there was a period of unavailability in Colnbrook as the staff had been re-deployed to set up the new facility. This was disappointing at the time, although now both kitchens are operational, it was probably worth the short term pain.

5.1.4. Disabled Arrangements

As reported in both the 2014 Annual Reports from Colnbrook and Harmondsworth, the Board continue to have significant concerns around the suitability of the housing and care of physically disabled detainees in HIRC. The accommodation is generally not suitable for detainees with physical disabilities; for example, the rooms are not equipped with adapted showers, and those available on the units have not been designed for wheelchair access. Whilst both sites have some rooms designated for use by detainees with physical disabilities, these rooms are poorly designed for the purpose. The IMB frequently finds that individual detainees encounter difficulties in accessing the full range of facilities at HIRC. Whilst plans are normally put in place to make “reasonable adjustments” for the specific needs of the detainee, these invariably mean that DCOs have to undertake additional tasks to overcome the restrictions of the centre layout and these tasks are often not given a high priority, leaving physically disabled detainees waiting for considerable periods of time before their needs can be attended to, which is at best frustrating for them. Sometimes, the indignity caused can border on the inhumane.

If Immigration intend to detain individuals with physical disabilities at HIRC, it is imperative that more suitable facilities and care plans are introduced that provide full access to the regime so detainees can be treated with respect and dignity during their detention. The IMB understands that the Home Office have now agreed funding to enable C&C to progress improvements of the disabled facilities at HIRC during 2016.

The Board recommend that the disabled facilities and social care are substantially upgraded as soon as practicable in order to provide physically disabled detainees with respect and dignity during their stay. The regime is difficult for all detainees, but the level of care for physically disabled detainees falls below an acceptable level too often. Failing this, physically disabled detainees should not be housed at HIRC.

The Board recommend that disabled detainees housed within the general population of the centre should be assessed by Healthcare for their ability to self-care (general ability to perform activities of daily living regardless of whether their issues are due to physical, mental or learning disabilities), and where necessary, assistance provided to those with a limited ability to self-care.

Overall there is a good focus on equality and inclusion within HIRC. That said, whilst related issues constituted 1% of the issues that the IMBs dealt with in 2014, that rose to 1.8% in 2015.

5.2. Education, Learning and Skills

Unlike a prison, it is not a primary purpose of an IRC to develop the education and skills of detainees. The expectation is that the vast majority of detainees will only be held in detention for short periods of time which are not compatible with undertaking significant education courses. The average stay of detainees during 2015 was 62 days.

Consequently, the facilities provided at HIRC are predominantly geared towards providing a variety of activities for detainees, including some opportunities to learn and develop certain skills if the detainees wish.

HIRC provides regular ESOL classes, which attract a small but steady stream of detainees. Courses are also run on IT, particularly on the use of spreadsheets and word processing. There are arts and crafts facilities, libraries, music and media rooms on both sites, as well as a cinema on the Harmondsworth site. These are all well utilised by detainees. During the year C&C have generally opened up the regimes in the Centre, which has given detainees greater access to all of these activities, and this is welcomed by the IMB. There have been occasions during the year when some of the activities have remained closed due to a shortage of staff in the Centre. When illness and absence strike, these facilities are often the first to be withdrawn.

HIRC provides centralised internet access for detainees, although the use of social networks and internet based communications facilities, such as Facebook and Skype, is not allowed. These facilities are provided in dedicated rooms on the activities corridors on both sites and are well used by detainees, both to access information that is relevant to their situation and also to keep in touch with family and friends via e-mail. Rotas are operated so that detainees on all units have access to the internet each day. At the Colnbrook site, the Induction Unit, which is physically remote, has a small number of dedicated PCs available on similar time frames to those on the main units and the Sahara Unit for females has dedicated facilities, which are available for longer periods. At the Harmondsworth site, there are also some PCs located in the library and on some units.

The Board recommend that further consideration is given to enabling detainees to access Skype or similar internet voice facility, in an appropriately controlled way, as this would facilitate detainees keeping in touch with family and friends and assist with their resettlement to their own country.

These facilities are generally well run although inevitably, given the use this equipment is subjected to, there is usually a small proportion of PCs that are not working.. The IMB have experienced only a few issues relating to education and activities representing only 1.4% of issues raised with the IMB (1.7% in 2014) and these have been easily resolved.

5.3. Healthcare and Mental Health

Healthcare Provision at HIRC is provided by CNWL under a contract that has been specified by NHS England. This contract commenced on 1 September 2014.

The IMB has requested sight of the non-commercially sensitive elements of the contract, so that we can better understand the service that should be provided it is disappointing that this has been refused on the grounds that **the whole contract** is commercially sensitive. The IMB strongly believe that this is far-fetched. Moreover, the significant issues emerging over the last year gives appearance that the parties to the contract are not themselves fully aware of the contents of the contract and its intent. There is now a “Shared Occupancy Agreement” being agreed between CNWL and C&C and it is anticipated that this will be finally signed in early 2016. The lack of this agreement during 2015, has resulted in a lack of adequate care towards detainees housed on the enhanced care unit at the Harmondsworth site, and poor levels of general hygiene within the unit, as it was unclear which contractor was responsible for these aspects. The IMB feel that the Home Office have failed in their oversight of these arrangements. This situation should not have endured for in excess of 16 months.

The IMB understands that the service provided by CNWL, in common with healthcare provided at other custodial establishments, is one of domiciliary care, providing care and support in a residential setting. However, both sites have units that have previously been described as inpatients units, where detainees are housed in a ward type environment at Harmondsworth, or in single rooms on a discrete unit at Colnbrook. CNWL have recently stated to the IMB that they do not regard these units as offering secondary care, as they are not registered with the Care & Quality Commission (CQC) to provide such secondary care. To address this apparent contradiction, CNWL have now redefined these units as “Enhanced Care Units”, the detainees housed there being subject to “Care Plans” that CNWL are managing. These will typically involve healthcare staff visiting these detainees as agreed in their personal care plans, with a minimum of one visit each day. This has been described to the IMB as similar to a District Nurse visiting someone in their own home. In terms of the residential nature of these units, CNWL see this as the responsibility of C&C to run the units and to request visits from healthcare staff where these are warranted.

When detainees are in need of secondary care, CNWL arrange for them to be transferred to an external hospital.

The IMB have concerns that DCOs with no specific healthcare background or training are monitoring enhanced care units and are not in a position to know when healthcare should be called. This is of course the same on all residential units, but by definition, those who have been housed in the enhanced care units are on a care plan so are not typical of the detainee population as a whole. In the IMBs experience, detainees can be housed on these units for long periods of time with significant mental health issues and considerable care needs which are not always well met.

The Board recommend that detainees on the Enhanced Care Units should be assessed by Healthcare for their ability to self-care (general ability to perform activities of daily living regardless of whether their issues are physical, mental or learning disability), and where necessary, in the interests of detainees' dignity, additional assistance should be provided to those with limited ability to self-care.

5.3.1. Responses to IMB Concerns Raised

Healthcare concerns formed the second highest category of detainee concern with the IMB at 293 (23.8%) during 2015. In 2014, 386 (26.6%) concerns were raised when Healthcare issues were the most highly reported concern.

Despite this fall, this remains a major area of concern for the IMB, and yet at times we have struggled during the year to obtain satisfactory and prompt explanations to the concerns raised from the healthcare staff. In the first quarter of 2015, IMB members at Harmondsworth, were not receiving responses to concerns flagged in our regular visit reports to Healthcare. It became clear bafflingly that the healthcare staff were unaware of the need to respond, so a new protocol was put in place to clarify the position. This improved the situation for a period of time, but due to changes in the staffing responsibilities within Healthcare, the situation again deteriorated as healthcare staff all believed that someone else was taking the responsibility. Following a review within Healthcare, this was resolved and by the end of the year the IMB have been receiving responses on a timely basis. Nevertheless, for large parts of the year the level of co-operation from Healthcare was inadequate.

5.3.2. Staffing Levels in Healthcare

The levels of staffing in Healthcare have been under pressure throughout the year. There has been recruitment during the year, but this has been hampered by the need to obtain DBS and CTC clearance for new recruits, and this has on occasions not been forthcoming, and even where it has been obtained it has been slow to arrive. In a normal environment, agency staff could be brought in to cover vacancies, but due to the security clearances, this is severely restricted in this environment. As the year has progressed, this situation has eased, but it has been further aggravated by the continuing high level of R35 requests (see below), which have to be undertaken by a doctor and typically take 45 minutes to complete.

5.3.3. R35 Assessments

Where a detainee claims to be a victim of torture, a R35 assessment will be undertaken by a GP. Normally the centre would expect around two claims per day to be made, and about half the time this is what happens. However, there can be spikes of claims, with 20 claims being made on just one day. The average per day during 2015 has been between 4 and 5 claims.

In the quarter April to June there were around 190 assessments undertaken. This fell in the quarter July to September to circa 125, before rising again between October and December to circa 175. This volatility shows how difficult it is for Healthcare to manage the demand for these assessments. The average waiting times during the quarter ending September was 1 day with a maximum wait of 16 days, whereas in the final quarter the average wait was 3 days with a maximum wait of 26 days.

The IMB does receive concerns from detainees about R35 which reflect both the time they are having to wait to get these assessments done, dissatisfaction with the outcome of the assessments, and concerns that even when they are deemed unfit for detention that the GPs assessment can be overridden by the HO Caseworker and detention is maintained for other reasons.

The Board recommend that vulnerable individuals who are assessed as being victims of torture, should not be detained.

5.3.4. Missed Hospital Appointments

In the first half of 2015, the IMB continued to highlight concerns that hospital appointments were being missed due to operational difficulties. These were due to transport being unavailable or late.

There is a daily limit on the number of external escorts that can be accommodated within the contract, and some of the difficulties earlier in the year were due to too many appointments being booked on the same day., Healthcare would then prioritise which were undertaken based on clinical need however it resulted in uncertainty and frustration at best for detainees. The appointments that were missed due to transport not arriving on time at the hospital, were mainly due to early morning appointments that did not sufficiently take into account the added travel times during the peak morning rush hours.

C&C and CNWL worked together on these issues so that Healthcare staff would seek to avoid appointment times that meant travelling at the peak rush hours and avoided making further appointments on dates when transport capacity had been reached.

As a result of these efforts, the IMB have noted a welcome reduction in these issues in H2 2015.

In previous years the IMB has reported concern that detainees were routinely handcuffed whilst escorted on hospital visits and sometimes even during their examination. We are pleased to report that since C&C have taken over the responsibility for HIRC that they have taken much more of a risk based approach, and this has resulted in a considerable reduction in the number of detainees being subjected to handcuffing on escorts for medical appointments. During 2015, circa 40% of all external escorts have been subject to handcuffing, whereas under the previous regimes it was close to 100%. Unfortunately, as reported under the serious incidents sections, one detainee absconded during a hospital appointment in December 2015. Whilst there must be a review, the IMB hope that this does not result in an overreaction resulting in too many detainees being unnecessarily handcuffed.

5.3.5. Mental Health

The IMB regularly meet detainees who are suffering with various degrees of mental illness. The more serious cases are housed in the Enhanced Care Units at the two sites. When their behaviour is too difficult for that environment, they are generally moved to one of the segregation units. Whilst these latter instances are unusual, there are at least two detainees whose cases the IMB have flagged in the section on Segregation (see 5.7 below). This is not a humane place in which to look after such vulnerable, though disruptive, detainees.

CNWL do recognise the need for mental health provision in the centre, and there is a Mental Health team to provide healthcare for those with such needs. This team includes two psychiatrists and a psychologist providing clinical leadership, and is loosely based on a Community Mental Health service, that a GP would refer to, so by definition represents a secondary care service. Where it is concluded that secondary care available is insufficient for their needs, mental health beds are sourced in Colne Ward at Hillingdon Hospital, although there can be significant waiting times before these beds become available.

The IMB are concerned though for the welfare of detainees who cannot be held on the ECUs but are not so ill that hospitalisation is required. Whilst such individuals may not need hospital care if they were living in a normal domestic setting, account must be taken of the detention regime and the impact it has on the vulnerable. This means that the IMB believe that further thought should be given to how a more bespoke regime can be provided so long as such individuals must be detained. The IMB have seen individuals deteriorate significantly when removed from association for any length of time.

The Board recommend that Enhanced Care Units should not be used to house vulnerable individuals with serious Mental Health conditions, as the level of care currently available is insufficient for their needs. The regime is difficult for all detainees, but the level of care for those with mental health conditions that fall short of them needing Sectioning under the Mental Health Act falls below an acceptable level too often. Alternatively, the Home Office should negotiate Secondary Care provision for the Enhanced Care Units with NHS England in the contract for Healthcare Provision.

5.4. Purposeful Activity

The IMB has observed good use being made of the recreation facilities on both sites. These include the courtyards which are regularly used for team games such as cricket and football when the weather allows, the multi-gyms, the sports hall, and the table tennis and pool tables situated on most units. The gym at Harmondsworth was relocated to the Sports Hall during the year and this has been well received by the detainees. There was an issue at the Harmondsworth site during the year where balls for use in the courtyards were going missing which resulted in the Centre asking detainees to buy their own from the shop. In fact, a large number of balls were trapped in the roof gutters. The issue was quickly resolved when it was made clear to detainees that there would be a monthly limit of balls available after which they would have to purchase their own from the shop.

There are opportunities for gainful work in HIRC paying £1 per hour, which includes serving food at meal times to other detainees, some food preparation work in the kitchen, cleaning duties on the units, laundry attendant duties on the units, hairdressing and decorating duties around the Centre. The demand for paid work is high and there is usually a waiting list of detainees wishing to be engaged in these activities. The Home Office have to agree which detainees can undertake paid work, and they do withhold approval for detainees who are deemed to be non-compliant with the immigration process. The IMB is of the view that greater use could be made of paid work opportunities, but does acknowledge that C&C are already exceeding the contracted number of paid work positions.

All of these duties are primarily aimed at giving detainees something to do rather than developing their skills, and only basic instruction is provided. Nevertheless, the detainees do value these opportunities to work and earn a small sum of money. They enhance the detainees feeling of self-worth and the work undertaken is generally beneficial to the look and feel of the centre.

5.5. Resettlement: Movement of Detainees, Contact with Outside

The population at HIRC is constantly fluctuating with detainees coming and going on a daily basis. The average monthly number of movements in 2015 was 2,325, with a high of 2,727 in October.

It is therefore understandable that there are significant issues experienced that are associated with the movements into and out of HIRC. In the 2013 Annual Reports for both Harmondsworth and Colnbrook, and the 2014 Annual Report for Harmondsworth, recommendations were made regarding limiting the number of transfers between IRCs for administrative purposes and particularly those undertaken during the night.

5.5.1. Night Time Moves

The IMB undertook an analysis of the movements into and out of the centre for the month of July 2015 to establish whether there had been any material change from previous years in respect of the night time movements. The detail of this analysis is set out in Appendix B.

The main conclusions from this analysis is that there continue to be high levels of night time moves at the centre, many of these are related to the removals process and are therefore unavoidable, and the moves to Heathrow Airport are largely undertaken within the SLAs agreed between the Home Office and Tascor, the escort contractor. However, the night time transfers between IRCs have increased during 2015, and the IMB believe that these are not essential and are largely undertaken for the administrative convenience of the Home Office.

The Board recommend as a result of this detailed analysis that DEPMU should ensure that the next escorting contract seeks to eliminate the need for Night Time (between the hours of 10pm and 8 am) moves between IRCs on the grounds of decency.

5.5.2. Access to Internet, Phones and Faxes

Effective communication is essential for immigration detainees to enable them to stay in touch with their family, friends and legal advisors.

All detainees are provided with access to a basic mobile phone when they arrive at HIRC. This is either their own phone if it is acceptable (no camera or internet access) or one provided by the centre. There have been periods when mobile phones were not available for some detainees on arrival, although these types of issue were normally resolved in a relatively short space of time.

Access to the internet is available within both sites at HIRC, so all detainees are able to gain access to their e-mail accounts and the internet for a period of time each day. There are some restrictions imposed on websites that can be accessed. In the main, these are reasonable, although the current prohibition by the Home Office on access to free internet based communication applications such as Skype, are felt by the IMB to be overly restrictive and remove a relatively cheap and effective way that detainees can keep in touch with their friends and family.

The availability of fax machines is of critical importance to detainees because they transmit documents to and receive documents from immigration caseworkers and their legal advisors. During the year, there have been a considerable number of complaints regarding

the availability, quality and reliability of the fax machines in use at HIRC. Care & Custody are currently in the process of reviewing fax provision. While the introduction of a professional fax machine installed at the one stop welfare office in Harmondsworth has certainly proved to be much more reliable and user friendly than other machines, access for the detainees is restricted to certain time periods and the centralisation has led to long queues of detainees at times wanting to use it. The smaller machines placed on the residential units are not adequately maintained, are frequently out of order and there are no instructions provided in how to use these effectively (in any language, let alone the range likely to be needed).

In terms of incoming faxes, the IMB are aware of numerous cases where there have been delays in delivering faxes to detainees. All faxes are time stamped when they are printed, and instances have been noted where faxes have taken several days to reach detainees. As these include important and sometimes time critical legal documents that could potentially impact on a detainees' immigration and detention status, any delays encountered are viewed very seriously by the IMB. The IMB would hope to see this situation resolved in full in 2016.

The Board recommend that C&C complete their review of fax facilities and ensure that the provision of fax machines is sufficient to enable all detainees to send and receive faxes promptly.

5.5.3. Access to Legal Advice

The IMB regularly hears from detainees that they do not have access to legal advice. There is a process in place in both sites for three legal firms to provide legal surgeries to detainees. These firms of solicitors provide a 30-minute surgery to each detainee aimed at answering their questions and undertaking an initial assessment of their immigration case. In most cases, the legal firms choose not to take their immigration cases on, which then leaves detainees with no legal support.

The legal surgeries are only available on weekdays and there is no legal service provision in HIRC at the weekends, even for urgent issues arising. The IMB have come across cases which arrive at the centre late on a Friday with removal directions already fixed for early the following week. The lack of any legal support at the weekend leaves these detainees in a very uncertain position, potentially depriving them of important rights. This situation is not unique to HIRC, and applies across the IDE.

The Board recommend that Immigration Enforcement review the provision of Legal Advice to include urgent cover at weekends.

5.6. Safer Custody

The Assessment, Care in Detention, and Teamwork (ACDT) process has applied to HIRC throughout the year. This aims to identify detainees who have either self-harmed or are at heightened risk of self-harming. A file is opened in relation to such detainees and there are procedures which kick in to monitor their situation until the point where the risk is reduced to a normal level when the file is closed. All staff are trained in the use of this process and to be on the look-out for vulnerable detainees. The IMB will on occasion highlight detainees that could benefit from being subject to an ACDT.

During 2015, on average 46 ACDT files were opened each month, with a high of 68 in February. On average there were 66 open ACDTs at the end of each month, with a high of 88 in December. Open ACDTs at each month end varied in a range of 4.5% to 10.2% of the detainee population.

The actual instances of self-harm in HIRC during 2015 averaged 13 per month with a high of 38 in May.

The Board are satisfied that the ACDT process is comprehensive and operates well in the centre. Whilst any instances of self-harm are regrettable, the numbers experienced in 2015 are low relative to the throughput of detainees at HIRC, which averages 2,325 per month.

5.7. Segregation, Care and Separation, Close Supervision

At HIRC, both sites operate segregation units to deal with detainees who are subject to "Temporary Confinement" (Rule 42) and "Removal from Association" (Rule 40).

At the Harmondsworth site there are six rooms in Elm Unit that are used for both R40 and R42 purposes.

At Colnbrook there are twelve rooms, six designated for use as R40 on the 1st floor and six designated for use as R42 on the Ground floor of the segregation unit.

For operational reasons, C&C choose to move detainees held in R40/R42 from Harmondsworth to Colnbrook, where the period of confinement is likely to exceed 24 hours.

Each week and for each site, there is a rota of IMB members who visit the segregation units on a regular basis. The Centre advises the member for each site on rota that week of all movements to the Segregation Unit, and this member will attend the site in an emergency situation.

Whilst the IMB should be informed as soon as possible when detainees are held in Rule 40/42, there have been occasions during the year when the IMB member on duty has not been contacted by phone or contact has been made through the Mitie email. This is unsatisfactory as IMB members are not routinely logged onto their Mitie email accounts. This does cause concern as the IMB cannot perform its duties effectively if it is unaware of uses of R40/42.

The use of R42 in 2015 was generally between 3 and 4 per month with a high of 6 in three separate months. The stays in R42 are usually for very short periods of time, typically a matter of hours.

The use of R40 was more extensive, averaging 42 uses per month with a high of 67 in November. The vast majority of these will be for short periods of time, typically less than a day or two, however, there are a minority of stays that can and do become extended. These include individuals who undertake dirty protests, others who have been unable to integrate onto the normal regime, including individuals with serious mental health issues. Some examples from our experience in 2015:

- **Case Study 1 - a detainee with serious mental health issues arrived on 6 March. After a night on the Induction Unit, he was moved to R40 where he remained for 39 days. He then spent a month in Healthcare before being sectioned under the Mental Health Act and transferred to Colne Ward at Hillingdon Hospital. He was returned to HIRC on 6 August and housed in Healthcare before being removed later that month.**

- **Case Study 2 - A detainee with schizophrenic and bi-polar conditions arrived on 16 May. He was moved around various residential units until the end of May with a couple of short stays in R40. He was then housed in Healthcare for 5 days before he caused significant damage to his room at which point he was moved to and between R40 and R42 between 4 June and 27 July a total of 54 days continuously before his removal from the UK.**

These cases illustrate the difficulties that a minority of detainees experience and of course the sort of challenges being faced within the detention estate. The DCOs generally do a good job of caring for these individuals, but they are neither qualified nor specifically trained to deal with individuals with these types of conditions. Given the current facilities and care arrangements in HIRC, the IMB believe that it is not a suitable environment for the detention of such individuals.

The Board recommend that R40 should not be used to house difficult individuals with Mental Health conditions. They are vulnerable and confinement is not a humane way to address the problems they experience.

In addition, the Home Office will authorise the use of R40 to create sterile conditions for detainees who have previously disrupted removal directions by self-harming or threatening self-harm, to reduce the risk of them secreting razor blades. The IMB is concerned where these stays become extended. There was a case recently where a detainee was removed from association into R40 for 11 days pending removal, only to return to the normal regime when his RDs were cancelled due to lack of Emergency Travel Documents.

5.8. Residential Services

2015 has been a challenging year for HIRC. Whilst there have been a number of significant improvements implemented by C&C, there also continue to be a number of challenges that were inherited that have not yet been addressed.

In terms of the positives, a new detainee reception and admissions area has been implemented at Harmondsworth, which provides a significantly improved experience for detainees arriving at the site. The opening of a second cultural kitchen has brought to the Harmondsworth site a new facility which is greatly appreciated by the detainees. The detainees' shop at Harmondsworth has been expanded and now carries more lines of stock. The provision of an integrated shared services and welfare centre on the Harmondsworth site means that detainees now have a one stop shop where they can get all their issues dealt with. This is welcomed by the IMB.

At Harmondsworth, the showers and toilets have been refurbished on Cedar and Dove units. PC and fax equipment has been upgraded and all the mattresses and pillows have been replaced. Ceramic plates and cups have replaced the plastic variety

At Colnbrook, Rose Unit and the AIU were closed down. A no smoking policy has been introduced and the regime has been opened up to allow detainees to move more freely and for longer around the Centre, increasing access to the activities corridors. The IMB acknowledge these beneficial improvements and welcome the progress made.

Nevertheless, there remains much more to be done. Many of the facilities at HIRC are of an age where periodic breakdowns and failures are inevitable, and when these occur they

cause disruption for detainees. Issues continue to be regularly raised with the IMB by detainees which is a cause for concern.

The design of HIRC creates a number of issues for detainees, particularly the lack of fresh air, as there are no opening windows throughout the centre.

The laundry equipment on the Colnbrook site regularly fails. Each of the four residential units is equipped with 2 washing machines and 2 dryers, which aim to provide laundry facilities for 66 detainees on each unit. The machines installed are essentially domestic appliances and are not really designed for the constant use they are subjected to, and it is therefore inevitable that they will fail on a regular basis. This has been the case throughout the year with complaints being raised in 8 of our 12 monthly reports. Effectively, detainees are living with inadequate laundry facilities on a continuing basis.

Laundry provision on the Harmondsworth site is currently being upgraded. Cedar and Dove units, have had new laundry facilities installed, each with 4 industrial grade washing machines and dryers, operated by a paid laundry assistant. Detainees hand over their dirty clothing, are given a tag which matches one on a basket and can pick up their freshly laundered and dried clothing within an hour. This is a marked improvement and similar equipment is due to be rolled out throughout Harmondsworth.

The Board recommend that C&C continue to review the provision of laundry services across both sites and consider replacing the unreliable domestic appliances with industrial equipment to both improve reliability of service and potentially reduce costs over time.

The level of cleanliness of the Centre has fluctuated during the year, between acceptable in most months to poor in other months. This has manifested itself particularly in the Induction unit on the Colnbrook site, where the design of the unit does not lend itself to the use it is receiving, with a high turnover of detainees and very limited storage areas. This does not create a satisfactory environment for detainees to live in.

There was a rat infestation in the summer which took much longer to bring under control than was ideal and created a lot of anxiety at the time for both detainees and staff.

Filled black bin bags were sometimes found deposited in stairwells and that became endemic around the Colnbrook site in the late summer and autumn.

Whilst there were significant improvements made during the year, the smaller basics sometimes got overlooked. For example, there were ongoing problems with availability of microwaves, toasters, fridges on units and large screen TVs unavailable for significant periods of time, although we note that they were sometimes wilfully or accidentally damaged by the detainees themselves. Shower water temperatures also varied widely. Whilst these may all seem like low level issues, they are important to the detainees who become frustrated when nothing is done about remedying them.

The Board recommend that Facilities Management give a higher priority to repairing facilities and the fabric of the buildings as this is a constant source of detainee frustration.

Accommodation issues deteriorated during the year, remaining as the third most frequently complained about issue behind health and detention, at 20.6% this year (16.3% in 2014).

The Board receive a steady but stable number of complaints in relation to the food provided at HIRC. We regularly taste the food available at HIRC and we generally find it to be of a good quality. The issues raised by detainees largely relate to the different tastes of both certain ethnic groups and individuals. Detainees say and it is the case that the menus are repetitive and choices somewhat limited. Some detainees feel that their individual dietary needs are not being met.

HIRC has operated a pre-select menu throughout 2015, which enables detainees to select their meals for the week ahead. The menus provide up to 4 choices per meal at lunch and dinner, including vegetarian options. The weekly menus rotate on a monthly cycle.

Overall the Board are satisfied with the catering facilities available at HIRC and the quality of food provided. The food issues raised with the IMB during 2015 have fallen to 3.8% (2014: 4.9%) which does not indicate this to be one of the major concerns for detainees.

6. AREAS OF SPECIFIC CONCERN FOR THE BOARD

The following areas have been recurring themes noted from the Board's activities during 2015.

6.1. Length of Detention

The Board have raised length of detention consistently now over a number of years. We present at Appendix C the analysis of the detention figures for 2015, from which the following conclusion is reached.

As a result of the analysis set out at Appendix C, the Board remain concerned that there is a minority of detainees within the Immigration Detention Estate who are being held for excessive periods, which in some cases materially and adversely affects their mental health.

The average times in detention, for detainees held in excess of 6 months, are relatively stable over the last 3 years, at around 18 months detention, although these averages mask substantial variations.

- **Case Study 3 - the highest detention period recorded in 2015 totalled 5 years and 6 months for an individual who was then given Temporary Admission to the UK. This is clearly unacceptable, given that the Home Office are only empowered to detain individuals where there is a reasonable and imminent prospect of removal.**

These sort of timescales suggest that the decision making processes are potentially deficient, and would benefit from independent scrutiny.

The Board recommend that the Minister instigates a regular review system, independent of the Immigration authorities, for all cases where continuous detention exceeds 12 months. IRCs were only designed for short stays of up to three months and the facilities and levels of care reflect this. The environment is not acceptable for prolonged stays. A review system would ensure that detention cannot become extended without independent scrutiny.

6.2. Property

Concerns raised with the IMB related to detainees' property remained similar to 2014 levels.

Generally HIRC deals well with detainees' property whilst they are resident in the Centre; there are central store areas at both sites where most of their property is held and detainees can arrange access to their property via the Customer Service Applications Process. There are sometimes delays reflecting the availability of staff to take detainees to access their property.

HIRC operates a cashless environment. All detainees have an account set up for their cash on arrival and can use their account to make purchases at the shop.

The most prevalent property related issue arises after they have been transferred from another IRC, prison or police cells. Detainees sometimes experience difficulties in being reunited with their property. Assistance is provided by either the welfare staff at HIRC or a member of staff from the NGO Hibiscus, but it can often become a protracted process.

- Case Study 4 - a detainee who was an ex-FNO, was moved between two prisons in February 2014, and some of his property was not transferred with him. Before this could be resolved he was moved to a third prison, before being moved to Heathrow IRCs in May 2015. He has now made 5 different complaints regarding his missing property. The second of these complaints, acknowledged that his property was still held by the first prison he was housed in, and that it would be sent on to his then current prison. Regrettably it did not before he was moved again. He is now two years further on and still cannot get resolution to his problem, either through being reunited with his property or with adequate compensation being paid for his loss. The matter has now been referred to the PPO. This is an extreme example that illustrates the difficulties and frustrations that can occur.

Property issues also occurred when foreign nationals in the community were detained "without warning" while they were signing on as part of their regular reporting obligation to the HO. The IMB has come across a few cases where such men were brought into the centre with nothing other than what they were wearing and nobody secured and sent on all their property, which remained in their accommodation.

Last year we reported about a very concerning number of cases about money missing from registered mail letters addressed to detainees and loss of property at reception. C&C has since made great efforts to reduce such cases by introducing new procedures and safeguards and we have seen a very welcome drop of complaints in this area.

6.3. Complaints

Having an opportunity to complain, if something has gone wrong is a powerful tool available to detainees to ensure just and fair treatment and that their rights are being respected – but only if the complaints procedure is well publicised, working properly, not only to the letter of the relevant directives, but also to their spirit. The Returns Directorate of the Home Office issued a new detention services order 03/2015 - Handling of complaints, which since 1 August 2015 should guide all staff how to handle complaints.¹

Two important points can be found among the principles for handling complaints²

Firstly, it acknowledges that "in many cases detainees would prefer an immediate response and, where something has gone wrong, putting the matter right and an apology is a good result. In those instances local resolution may be the most appropriate approach, although escalation via the formal complaints procedure remains an option for the complainant". We can only agree with this because in a fast moving environment such as an IRC, the length of time it takes to look into a complaint deters many detainees to make one in the first place, even though they may have a valid point to raise, because by the time a decision has been taken, they have often moved to another centre, been removed or released. In our experience, detainees really appreciate it when somebody responsible for an error/mistake raises his/her hands in acknowledgement and apologises.

1

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/454297/D_SO_03_2015_Handling_complaints.pdf

² See page 4 of above document

Secondly, a further principle explicitly spells out that “Detainees are to be treated fairly, openly and with respect at all times and must not be penalised for making a complaint. The fact that a complaint has been made and is under investigation will not interfere with the consideration of the immigration aspects of a detainee’s case”. This is an important point in our view as we have spoken to a number of detainees who in fact refrain from making a complaint out of fear of retribution. We will monitor closely whether the new guidelines are actually being followed and that detainees are no longer afraid of repercussions.

Our hope that this explicitly spelt out principle may reduce the detainees' fear of unwarranted consequences following a complaint is shared by Stephen Shaw, the former Prisons and Probation Ombudsman for England and Wales, who in his recent, very thorough review into the Welfare in Detention of Vulnerable Persons, reflects upon the effectiveness of the complaints system within the detention estate.³

Stephen Shaw notes that “indeed, if detainees are to have confidence that their welfare is to be protected, a successfully functioning complaints system is essential.”⁴ However, he concludes, the fact that so few detainees actually bother to put in a formal complaint could either mean that they were happy and had nothing to complain, but more likely and more worryingly “may reflect a lack of trust that complaints will be dealt with confidentially and respectfully by receiving bodies”,⁵ detainees might find the complex complaint process difficult to access or they might (wrongly) believe “ that making a complaint will affect their casework decision and treatment by the Home Office.”⁶

Looking at our own observations “on the ground” at Heathrow IRC, in 2015 as in previous years, we observed that the relevant DCF9 forms were not always readily available next to complaint boxes. This could deter detainees from making a complaint.

The IMB undertook a sample check of the 27 complaints submitted to C&C during December 2015. Of the 11 complaints sampled, 7 related to property, 2 related to physical environment, and 1 each related to minor misconduct and catering. In terms of outcomes, 9 were not substantiated, 1 was partially substantiated and 1 was withdrawn.

The general conclusion from reviewing these complaints and the responses, is that the outcomes could be supported by the facts, although on the property cases a lot of reliance was placed upon the fact that detainees are told that any property they retain in their possession in the centre is their own responsibility. In terms of all the property complaints submitted, there was no doubt that detainees had lost some of their property, and that they felt aggrieved about this, but there was insufficient evidence to identify who had taken it and as the Centre had not been at fault, the outcome was classed as not substantiated.

3

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/490782/52532_Shaw_Review_Accessible.pdf

⁴ Page 153

⁵ ditto

⁶ ditto

- Case Study 5 - One of the physical environment complaints related to there being no Algerian TV channel available. The Centre concluded that this was not substantiated because the service provided by Sky TV was in the process of being upgraded, and in the meantime the Centre was unable to make any changes to the TV channels on offer. They did advise the detainee that the upgrade would be completed within a month and this would then be looked at again. It is arguable as to whether this was indeed not substantiated, in reality the detainee was right that no Algerian TV channel was available, and it was not the detainee's fault that this could not be resolved in the short term.
- Case Study 6 - A complaint from April 2015 regarding property, highlights some of the frustrations with the complaints process. A detainee had complained that some of his property had been lost by reception. The complaint was concluded to be not substantiated, because after a search at reception his property was found, and he was advised that this was the case and that his property record would be updated. Arguably, this should have been substantiated, as if he had not complained his property would not have been found. However, even though he had received a letter confirming that his property had been found, his property record was not updated and it was only after he raised this issue with the IMB that his property record was updated around one month later. Had this not happened, it is likely that when he left the centre he would not have received the disputed property, without another fight.

The IMB are aware that the contractors suffer financial penalties where complaints are substantiated, and consequently there is always an incentive for the contractor to conclude that complaints were unsubstantiated, even when the facts would sometimes suggest otherwise.

While the IMB at Heathrow IRC encourages detainees to submit an official complaint to voice their grievances, and we monitor how complaints are dealt with, we accept that we only see a small random sample.

There is good statistical data about complaints available from C&C on the complaints that are allocated to the Centre Manager. The information available on complaints that are allocated to Home Office and the PSU is more limited, and due to the change in process from 1 August 2015, the IMB has not been able to obtain information on the complaints submitted under the old system. This made monitoring of complaints more problematic during 2015. The Healthcare complaints are now covered by a completely separate NHS England complaints system, which further impairs visibility of the overall picture.

6.3.1. Healthcare Complaints

CNWL provided an overview about their performance in 2015 to the IMB, which includes some interesting findings:

- The number of complaints in each category submitted by detainees with regards to Healthcare at Heathrow IRC has been steadily dropping since January 2015. From January to March 2015, there were 18 complaints about clinical issues compared to only 4 in the last quarter of 2015 (October to December), and again for the same time frames, 14 complaints about service delivery issues compared to zero.
- In the early part of the year detainees were using the Home Office process to register their complaints in relation to Healthcare. This has been changed during the year so that they now have to use the alternative NHS England complaints process, which has made the comparison of statistics and trends problematic.

- With the exception of residents complaining that they were not given the medication they "wanted" (in most cases, which they said they had received "outside"), all other complaint sub-categories and findings have seen an improvement.
- The majority of complaints in absolute figures has been coming from the Colnbrook site throughout the year, despite the fact, that Colnbrook houses roughly half of the number of detainees being held at Harmondsworth.

CNWL is committed to providing quarterly 'learnt lessons' analyses of complaints and incidents by the Healthcare service leads, to ensure that the service is continually improving. The IMB will be closely monitoring this commendable statement of intent, and hope it will lead to further improvement of the user satisfaction.

All new receptions receive a 'Healthcare service delivery leaflet;' – this has been translated into 12 different languages. There is a section on 'how to make a complaint. However since the new complaints DSO was implemented, which instructs the Home Office to send healthcare complaints directly to NHS England, it appears that CNWL was unaware of this change and has subsequently seen a dramatic drop in complaints being received directly. Consequently the improvement in complaints statistics is somewhat illusory. For the latter part of 2015, the complaints process in healthcare was clearly not working effectively and efforts are now being made to correct the situation.

The Board recommend that CNWL/NHS England take urgent steps to implement an effective complaints process and ensure this is effectively communicated to detainees.

6.3.2. Home Office Complaints System

All complaints other than those relating to healthcare are initially received by Home Office staff and forwarded to a central HO complaints Hub to be registered on a central Complaints Monitoring System (CMS), who then allocate the complaints to one of a number of parties: the contractor for the IRC; the Professional Standards Unit (PSU); the escorting contractor; NHS England for healthcare complaints; or a Home Office department, depending on the nature of the complaint. The complaints clerk at Heathrow IRC logs all complaints throughout the year which relate to the service delivery of the contractor, C&C, except where there are allegations of serious misconduct against staff, which are dealt with by the Professional Standards Unit (PSU), and those complaints relating to escorting or Home Office issues in the first place.

At the time of writing this report, we have been unable to obtain a complete analysis of all the complaints submitted during 2015 from the CMS, due to the change in process during the year. Data from the PSU is unfortunately unavailable. The local Home Office teams have provided us with the following data of complaints that they have forwarded during the year to the central complaints team in the Home Office:

- In 2015, 447 complaints were received in Colnbrook. The most prevalent issues were :
 - Property related;
 - Delivery service;
 - Medical.
- For Harmondsworth, there were 304 complaints, the same three categories being most prevalent. :

It is surprising that in absolute figures Colnbrook detainees, thus detainees from the smaller site, are submitting more complaints than detainees on the sister site, Harmondsworth. Possible explanations are that the complaints procedure is better explained to new detainees, the detainees are getting better help from "buddies", members of the IMB and/or staff, when completing a complaint form or for some reason they have greater confidence in the system. Notwithstanding the variance in volume of complaints, the top three issue categories raised are consistent across the two sites.

Of the 420 total complaints received by C&C in 2015 across both sites, (only) 8 % were substantiated and 15 % were in fact withdrawn. We note that whilst fluctuating, there was a downward trend over 2015.

The table in Appendix D shows the trends of complaints dealt with by the C&C during 2015.

6.4. Serious Incidents

During 2015, there were a number of incidents at HIRC that meant the Silver Command Suite had to be opened. Earlier in the year, the IMB was not notified promptly and appropriately when this happened, although this has improved in the latter part of the year.

There were three "at height" incidents, one at Harmondsworth and two at Colnbrook. Two of these were outside with detainees climbing onto a fence and a smoking shelter. In both these instances, detainees were persuaded to come down once their flight times had passed. The third was indoors, where a detainee managed to climb up into the rafters of the sports hall at Colnbrook and proceeded to remove breeze blocks and throw these down. Again, the individual was eventually persuaded to come down under his own steam although the timescale was significantly longer.

There were also two escapes during the latter part of the year. The first was when a detainee who had been taken to hospital without handcuffs to be re-hydrated after a considerable time on food refusal absconded, having been previously assessed as low risk. In the second incident, two detainees were able to scale the fence from one of the exercise yards, climb up a vehicle access gate to step onto the perimeter fence and then effect their escape. It is understood that they had been assisted by another four detainees.

The IMB have been impressed by the professional handling of the serious incidents that arose by HIRC. They were brought to a conclusion without any serious injuries to those involved. We note that investigations are subsequently undertaken internally by C&C and externally by the Home Office Professional Standards Unit, so that any lessons learned are captured and action plans put in place to address any shortcomings.

6.5. Induction Unit at Colnbrook Site

The accommodation in these units is considerably more cramped than the rooms on the main units in the IRC, comprising bunk beds, a screened off shower / toilet area, a small wash basin and a TV mounted on a high level shelf. There is very limited open floor space in these rooms. The accommodation was originally built as a Short Term Holding Facility (SHTF) with intended stays of no more than 7 days.

The accommodation on the ground floor is typically used as a First Night/Last Night Unit (FN/LN) to facilitate moves into and out of the centre particularly at night time when the normal residential units are locked down.

During the day, all the occupied rooms remain unlocked allowing the detainees' freedom to associate with each other, and a number of former meeting rooms have been converted into a lounge area, a games area, an education area, and a room with IT facilities. Detainees on this unit are also escorted twice a day to the main activities corridors in Colnbrook which provide access to a wider set of activities and detainees housed on the main units in Colnbrook. Due to the physical design of the building, it is not feasible to give these detainees unrestricted access to the main activities corridors. Clearly this is a more restrictive regime than that applied to detainees in the main residential wings who can circulate more freely and return to their rooms as they wish.

The Home Office acknowledges that the rooms in Induction are more cramped than those in the main wings of the IRC, and that it is the intention that these rooms are to be used for short term stays only, with a limit set at a maximum of 7 days.

C&C track the length of stay in these rooms, so that action can be taken to re-house detainees onto the main IRC units within 7 days.

This has demonstrated that due to high turnover of detainees and high occupancy rates at the Colnbrook site that it is not always possible to re-house detainees into the main wings within 7 days, and there are regular occurrences where detainees are spending considerably longer than 7 days in these facilities. The previous statutory safeguard that was in place when the building was in use as a short term holding facility has been removed and replaced with an operational measure which does not seem to be as effective in ensuring that these facilities are only used for short stays.

The main reason given to the IMB for detainees getting stuck in these rooms for more than 7 days, is the shortage of rooms that can be used for single occupancy. The Board also acknowledge that some detainees prefer to stay in the Induction Unit and refuse to be re-located, although this is not considered a major factor accounting for the level of detainees spending over 7 days in these units.

The Board recommend that continuous stays in FN/LN and Induction units at Colnbrook site should not exceed 7 days.

6.6. Charter Flights and Paid for Flights

Some detainees are happy to return home, whereas others are less willing. Either way, the removal process can be both unsettling and frustrating for detainees, as well as for families abroad awaiting the return of their family members. Detainees are removed by way of escort on a charter or public flight, or can purchase their own ticket for an unescorted flight.

There are three main issues that have been raised with the IMB in respect of the use of charters and from those who are able to pay for their own flights home.

- Detainees being taken to the airport but are unable to fly as there are no travel documents at the airport, so have to return to the centre. This is often because the relevant embassy has not issued the emergency travel document. The system is not robust and leads to disappointment literally at the gates of the plane. There seems to be too much reliance on the documents being at the airport in time, checks not having been made before detainees pack to go.
- Detainees are told they are on a charter flight which is either cancelled at short notice (on the day in question) or they are on a reserve list and will only fly if others cannot be removed at the last minute. Whilst we accept it is common practice for flights to be overbooked, consideration needs to be given to the extent that Immigration overbook a flight so as to reduce the number of instances of detainees being taken for a flight and then returned to detention due to unavailability. Where a detainee has previously had their charter cancelled or have previously been on a reserve list and not flown, they are not always given priority for the next flight so are in left limbo. This happened to a group of Albanian men who were taken on three successive charters but were on each occasion returned to detention. This is unacceptable.
- Detainees wishing to book flights at their own cost are not always told that they have to withdraw their appeal before doing so. Even when they are aware, the system is not robust and there have been occasions where the withdrawal paperwork was caught in the system. On occasions, detainees have fruitlessly paid for flights and do not achieve their wish to return home promptly.

There have been small number of occasions where removal has been problematic. This is particularly the case with any detainee who suffers from Deep Vein Thrombosis. (DVT). Where detainees are unable to fly for medical reasons, then their case has to be reviewed by the “complex removal team” at the Home Office. This can become an extended process, and when there is no realistic prospect of removal, it raises legal questions around continued detention.

The Board recommend that reserve lists for charter flights need to be kept to a minimum and should not be needlessly unsettled by being placed as reserves on more than one charter flight.

6.7. Staffing and Resources

Since a new contract was established in September 2014, the IMB has been unable to obtain information from either the Home Office or the contractor on the agreed staffing levels for operating the Centre, as this is deemed to be commercially sensitive information. We have been assured by both the Home Office and the contractor that there is an agreed staffing profile and that this has been fully achieved throughout the year.

However, it has been acknowledged on a number of occasions during the year that due to short term absences, i.e. staff who are expected to attend the centre but do not report for duty, that operational decisions have to be taken to close certain activities in order to ensure that the Centre can operate effectively. Invariably, the areas that are closed are the areas that provide the greatest benefit to the welfare of the detainees, usually activities rooms, or alternatively outside escorts. Elsewhere in this report we cite issues that have arisen during the year which can be related back to inadequate levels of staffing.

From the explanations provided by the Centre Manager and the Home Office during the year, the IMB understand that the staffing model agreed within the contractual arrangements applies an industry standard non-effective time to all profiles. However, the operational experience has consistently resulted in a higher level of sickness absence than assumed in the profiles resulting in regular shortfalls against the agreed staff profile that negatively impact upon the detainee experience. Having operated the contract now for over 16 months, there must be sufficient actual experience to assess the level of attendance that can be expected on an ongoing basis.

The IMB acknowledge that C&C have organised and held 5 DCO Initial Training Courses since contract commencement, recruiting (69 DCO's and 9 OSO's) to ensure that the agreed staffing profile is maintained.

The Board recommend that the staffing profile should be revisited to take into account a more realistic level of short term absences based on experience so that the Centre can be operated in a way that delivers a more acceptable level of service delivery on an ongoing basis. The IMB do recognise that there will always be days when normal assumptions are exceeded, and thus difficulties will arise, but these should be exceptions rather than the norm.

7. THE WORK OF THE IMB

7.1. Board Statistics for 2015

Approved complement of Board Members	24
Number of Board Members as at January 2015	16
Number of Board Members as at December 2015	17
Number of new members joining during 2015	2
Number of members leaving during 2015	1
Number of members on sabbatical during 2014	0
Number of Board Meetings during the Year	12
Number of visits to HIRC	521
Total Number of Concerns raised with the Board	1231
Total Number of Segregation/Separation Visits	93

7.2. Issues raised in requests to see IMB

Code	Subject	2015 No.	2015 %	2014 No.	2014 %
A	Accommodation	254	20.6	237	16.3
B	Rule 40/42	14	1.1	3	0.2
C	Equality & Diversity	22	1.8	15	1.0
D	Education/Activities	17	1.4	25	1.7
E	Family/Visits	37	3.0	41	2.8
F	Food/Kitchen	47	3.8	71	4.9
G	Health	293	23.8	386	26.6
H	Property	100	8.1	109	7.5
I	Detention/Immigration Status	295	24.0	336	23.1
J	Staff/Detainee	77	6.3	152	10.5
K	Transfers	8	0.7	26	1.8
L	Miscellaneous	67	5.4	52	3.6
	Total Number of Concerns Raised	1231		1453	

8. GLOSSARY OF ABBREVIATIONS USED

Abbreviation	Meaning
ACDT	Assessment, Care in Detention & Teamwork
AIU	Assessment & Integration Unit
HIRC	Heathrow Immigration Removal Centres
DIAC	Detainee Information Activities Committee
DCO	Detention Custody Officer
ESOL	English for Speakers of Other Languages
Ex FNO	Ex Foreign National Offender
HMCIP	Her Majesty's Chief Inspector of Prisons
IDE	Immigration Detention Estate
IMB	Independent Monitoring Board
IRC	Immigration Removal Centre
PPO	Prison and Probation Ombudsman
PSU	Professional Standards Unit
RDs	Removal Directions
SLA	Service Level Agreement
STHF	Short Term Holding Facility

Andrew Newell

Chair of IMB at Heathrow IRCs

March 2016

**IMB at Heathrow IRCs
A4 Colnbrook by Pass
West Drayton
UB7 0FX**

STATUS OF PREVIOUSLY REPORTED MATTERS

Matter Reported in 2014 Harmondsworth Annual Report	Matter Reported in 2014 Colnbrook Annual Report	Heathrow IRCs Annual Report 2015 Status
Rejected Recommendations		
An independent review for detainees who are detained longer than a year is necessary.	The Minister ends the practice of indefinite detention by establishing a mechanism independent of the Immigration Department, to review all cases exceeding 1 year in administrative detention, with legal aid being provided for detainees so that they may be properly represented at the review.	There has been some marginal improvement in the situation in 2015, compared to previous years, but around 1/3 of detainees held for more than 1 year are still released into the Community after average stays of 1 year 8 months see 6.1 above No Change
	There should be an agreed service level to house detainees within their accommodation within 90 minutes of arrival at CIRC.	No Information kept in DMS that will allow this to be tracked. Anecdotal evidence is that the situation has improved during 2015 Resolved
	Hospital Appointments are given a higher priority when scheduling operational activities, to ensure that the missed appointments are eliminated.	In the first half of 2015, this continued to be a regular issue raised by IMB, in 2 nd half of year has been much better Resolved
	Number of paid work opportunities are increased, as these provide a positive impact both on the detainees welfare and also on the cleanliness and smooth running of the centre	There appears to be more paid work opportunities that have emerged during the year, whilst always room for further improvement this is not now considered a major concern Resolved
Skype and Facebook should be made available to detainees		IMB still would prefer to see these made available to detainees but acknowledge that there are a good range of tools to enable detainees to keep in touch with friends and family. No Change

Matter Reported in 2014 Harmondsworth Annual Report	Matter Reported in 2014 Colnbrook Annual Report	Heathrow IRCs Annual Report 2015 Status
Rejected Recommendations (continued)		
The Board support the review of the Detained Fast Track process to ensure the welfare of detainees		Shaw Review has separately considered Welfare of Detainees. DFT was suspended in July, now replaced by Detained Asylum Cases (DAC). Resolved

Matter Reported in 2014 Harmondsworth Annual Report	Matter Reported in 2014 Colnbrook Annual Report	Heathrow IRCs Annual Report 2015 Status
Recommendations Accepted in part		
An independent body needs to be established to have oversight over the complaints process and an audit of the complaints procedure should be undertaken to identify problems and propose solutions.	The complaints review underway is completed as a matter of urgency, and that the complaints process is adequately resourced to ensure that complaints are fully and impartially investigated with a quality review and supervision of responses by the Home Office.	New Complaints process has been implemented, too soon to conclude if that has been successful, many teething problems experienced in H2 2015, particularly in relation to Healthcare. No Change
Segregation should be used appropriately: not for detaining those with mental health problems or for detaining vulnerable persons for extensive time periods.		There continued to be cases held in Segregation during 2015 which were there because they could not be handled effectively in the normal regime, but not as many. Improving
Staffing numbers need to reflect the agreed numbers in the contract with the Home Office. When staff numbers are lower, essential welfare services for detainees cannot suffer. Staff need to have sufficient time to interact positively with detainees and be able to build rapport with vulnerable individuals.	Staffing Levels / Operational Model is reviewed by Immigration after 6 months of operation to ensure that it is adequate for the safe and efficient running of the Centre and the welfare of detainees. This was Accepted in Full	IMB consider that the Staffing Profile employed at HIRC is ineffective because it does not make sufficient allowance for short term absences. ITCs during the year have kept staffing profile at the contracted level. Improving

Matter Reported in 2014 Harmondsworth Annual Report	Matter Reported in 2014 Colnbrook Annual Report	Heathrow IRCs Annual Report 2015 Status
Recommendations Accepted in part (continued)		
Appropriate therapeutic accommodation for detainees with mental health problems needs to be realized		There have been fewer cases this year of detainees with serious mental health issues, and more serious cases have been referred to Colne Ward which has eased the situation at HIRC. Improving
There should be less movement of detainees from one Immigration Removal Centre to another. Any exceptional transfers need to automatically check detainees' individual needs before a transfer is arranged.		The analysis of July 2015, suggests the situation has deteriorated this year after some improvement in 2014. Deteriorating
Reserve lists for charter flights need to be kept to a minimum and detainees on reserve lists need to have this clearly communicated to them.		This issue continues to be raised by detainees No Change

Matter Reported in 2014 Harmondsworth Annual Report	Matter Reported in 2014 Colnbrook Annual Report	Heathrow IRCs Annual Report 2015 Status
Recommendations Accepted		
All detainees with disabilities need to have equal access to services ensured.	Immigration either install suitable facilities for disabled detainees at CIRC or alternatively, ensure that disabled detainees are not held at CIRC.	No real progress noted to address these concerns during 2015, not had as many cases this year so not as evident. Understand that HO have now agreed funding for upgrades in 2016. No Change
	Cumulative stays in FN/LN and Induction units at CIRC should not exceed 7 days.	Some improvement during 2015, but still see detainees regularly exceeding 7 days on the unit Improving

Matter Reported in 2014 Harmondsworth Annual Report	Matter Reported in 2014 Colnbrook Annual Report	Heathrow IRCs Annual Report 2015 Status
Recommendations Accepted (cont)		
Maintenance of the centre needs to remain a priority issue. This includes: flooring, cleanliness, toilets and washing facilities and fax machines. This includes providing basic hygiene articles: soap, toothbrushes, toothpaste.	There is a greater focus on maintenance of the fabric of the building and the services supporting the building with an approved maintenance plan agreed with Immigration each year as the building ages.	Some significant projects undertaken during the year which have improved situation, but the reactive repairs still need to improve further Improving
	Healthcare review their appointments and initial assessment processes to minimise the elapse times for detainees to see an appropriate medical practitioner	Healthcare have been reporting improved times to see Nurses and GPs there are still some issues with Opticians. Improving
The Minister should ensure that NHS services are delivered as planned with agreed staffing levels in place		Healthcare Services were very poor in H1 2015 as evidenced by issues raised with IMB, have been improving in H2, but still some way to go. Improving
Detaining those suffering from serious illnesses (physical and mental), needs to be reviewed		There does appear to have been fewer cases with serious illnesses this year, not clear whether this is by design or just good fortune. Improving
Allegations about staff behaviour that are raised by the Independent Monitoring Board must be investigated whether or not an official complaint is made.		This related to previous contractor, not experienced similar resistance with current contractor. Resolved

Night Time Moves

For the purposes of this analysis, the Board has used 10pm and 8am the following morning as the night time state, when detainees are locked in their rooms. The Board understand that DEPMU use a more constrained timeframe of 11pm to 6am, for their own measurement purposes of Night Time movements. The reality for detainees is that movements between 10pm and 8am will entail them being disturbed during what they would consider to be the night time state.

The following table summarise the departures from HIRC by reason of the discharge as recorded in the Detainee Management System (DMS) at HIRC operated by Mitie Care & Custody, the Board acknowledge that the Home Office have not verified the information contained in this system: -

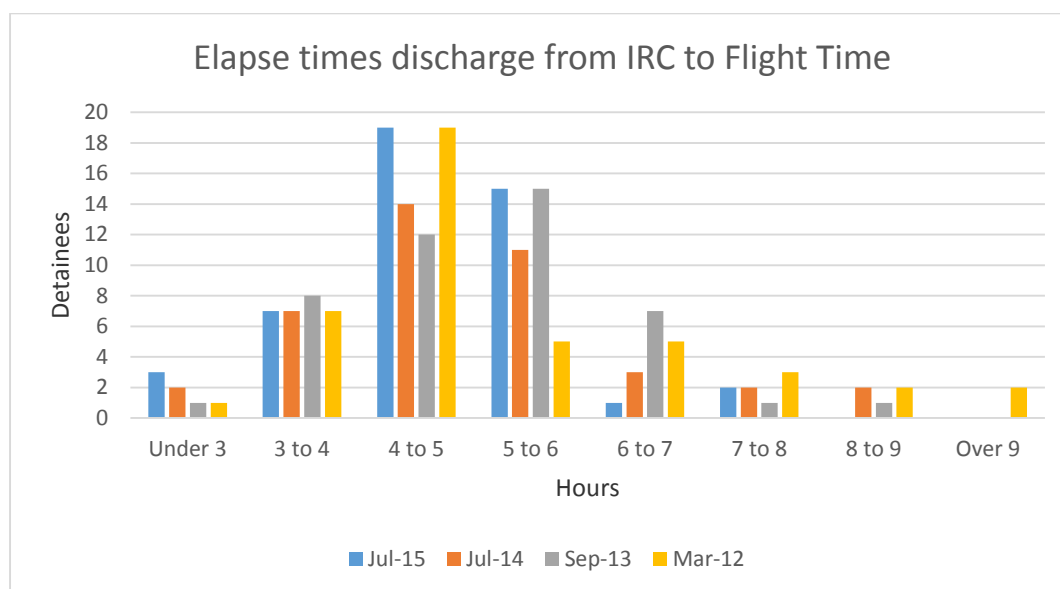
Summary Discharges - July 2015		10pm to 8 am			
	All Discharges	Category by % of All	Night Discharges	Category by % of Night	Night as % of All
Bail	34	2.57%	3	0.81%	8.82%
Transfer to Prison	22	1.66%	3	0.81%	13.64%
Interview Offsite	6	0.45%	1	0.27%	16.66%
Removal Directions	558	42.18%	247	66.40%	44.27%
Temporary Admission	440	33.26%	52	13.97%	11.82%
Transfer to IRC	263	19.88%	66	17.74%	25.09%
Total	1323	100.00%	372	100.00%	28.12%

Night time moves account for over 28% of all discharges from HIRC, and this level of discharges is consistent with the previous monitoring in July 2014.

The removal directions category is the largest reason for night time moves by some distance, and the vast majority of these are through Heathrow Airport which is located close to HIRC. The other significant reasons for night time moves are transfers to other centres and Temporary Admissions. The latter category is a surprise, although during July 2015 the Detained Fast Track programme was halted and this resulted in a significant level of releases in a short space of time which may have distorted the figures in 2015.

The remainder of this analysis focusses upon the Removals via Heathrow Airport and the Transfers to IRCs.

Of the night time moves, 66% (80% July 2014) of these moves related to Removals from the UK, and the timing will be largely dictated by the times of flights from Heathrow Airport. In order to test this hypothesis a sample of discharges to Heathrow airport were investigated with the assistance of Immigration Staff to ascertain the flight times that were related to these discharges, and the results of this sample of 47 flights from July 2015, were compared with previous samples taken over the last few years at Colnbrook IRC. The following chart outlines the results of this sample.



The SLA that Tascor are working to with Immigration, is that detainees will only be brought to the airport a maximum of 5 hours before their flights. As the measurement used here is the time of departure from Colnbrook, compared to the flight time, it is likely that those falling in the 5 to 6 hours category would probably meet the SLA as the van drivers would be in a position to determine when they arrive at the airport. Nevertheless, from a decency point of view the detainee will have been disturbed some 30 minutes prior to these departure times in order to go through the discharge process. From the above analysis, it would appear that there continues to be marginal improvement each year in the length of elapse times with the vast majority of flights achieving the SLA set. The exceptional outliers this year has reduced to 2 exceeding 7 hours (4 in 2014 sample).

The conclusion from this sample is that these night time moves are unavoidable if the removals are to be effectively executed. There would be some potential to reduce night time moves if the maximum of 5 hours before a flight was reduced, but Immigration maintain that this would increase the risk of failed removals due to flights being missed. The IMB believe that given the proximity to Heathrow Airport, this standard could easily be relaxed to 3 hours before a flight without any material increase in the risk of missing flights.

The next most significant discharge category in the table above, accounting for nearly 18% of night time moves (66 movements up from 34 movements in July 2014), were transfers to other IRCs which were initiated during the night time. This category has almost doubled from the previous year, and is slightly higher than the levels recorded in the September 2013 sample. The Board find this disappointing as these moves are completely within the control of the Home Office and after attempts in 2014 to reduce the frequency of these night time moves the situation has been allowed to deteriorate again.

Further analysis of the transfers to other centres has been undertaken and is set out in the table below: -

Summary of Transfers to Other Centres - July 2015

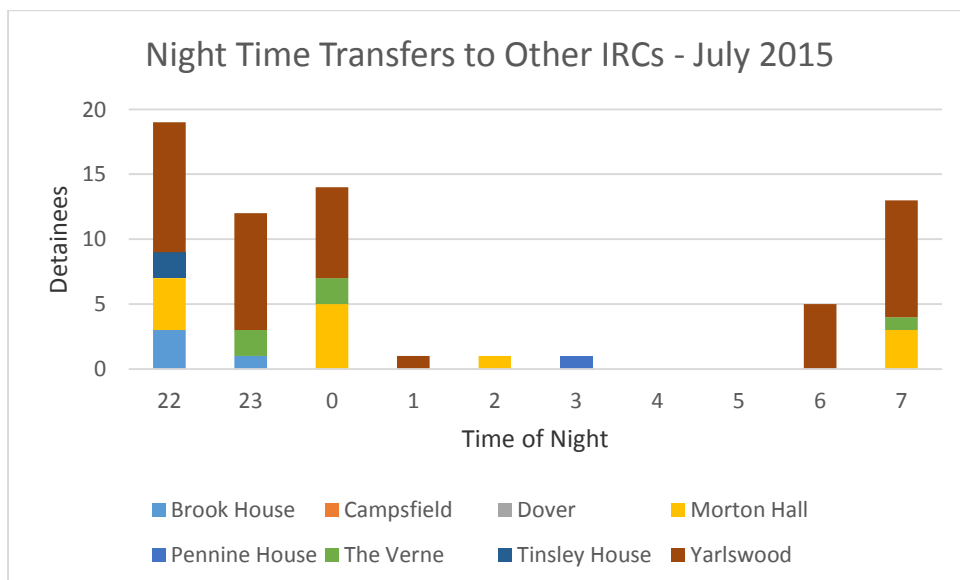
	All Moves	Night Moves	All Moves	Night Moves	Night %
Brook House	20	4	7.60%	6.06%	20.00%
Campsfield	5	0	1.90%	0.00%	0.00%
Dover	2	0	0.76%	0.00%	0.00%
Morton Hall	31	13	11.79%	19.70%	41.94%
Pennine House	3	1	1.14%	1.52%	33.33%
The Verne	68	5	25.86%	7.58%	7.35%
Tinsley House	6	2	2.28%	3.03%	33.33%
Yarlswood	128	41	48.67%	62.12%	32.03%
Total	263	66	100.00%	100.00%	25.10%

Sadly, the situation has deteriorated since the sample taken in July 2014.

The main recipients of night time movements are Yarlswood, and this reflects the need to move female detainees to a better environment. The majority of these take place between 10pm and 1am, whilst some of these journeys start before 11pm, which is what DEPMU count as night state, they will certainly not arrive at Yarlswood until after 11pm, so all of these movements would fall into the category of night moves even under the shorter timescales that DEPMU utilise. There are also 14 moves that originate between 6am and 8am, DEPMU do not recognise these as night time moves, and yet they will require detainees being woken early in order to undertake their move to Yarlswood.

The other centre that receives a high number of night time transfers is Morton Hall, with over 40% of the total transfers to this centre occurring during the Night. Given the distances involved these journeys will take up a significant part of the night for the affected detainees.

The following chart shows the distribution of transfers from HIRC across the night time state



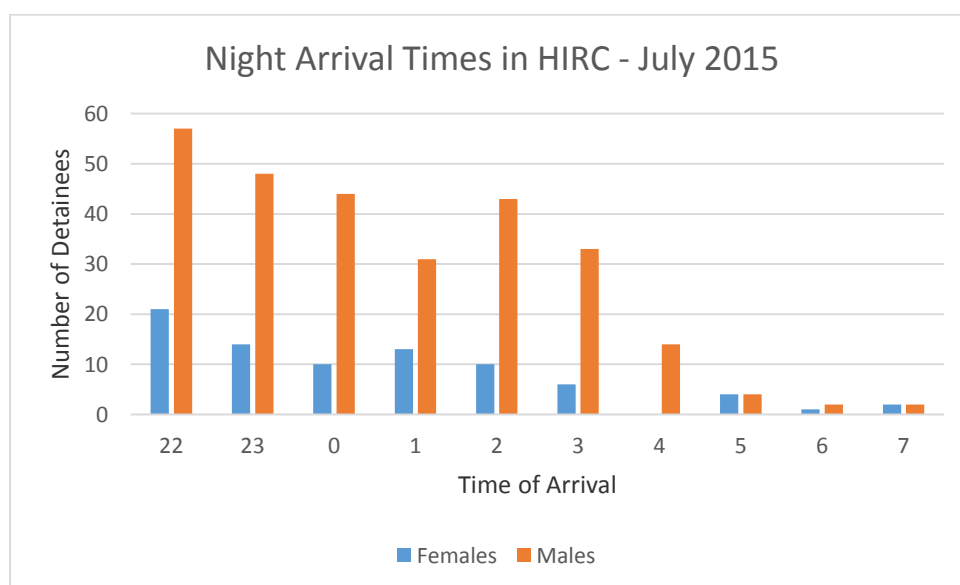
There is not the same information recorded in DMS on where detainees arriving at HIRC have come from. This analysis is therefore restricted to an analysis of arrival times, to establish those arrivals that have occurred during the night state. The analysis has been broken down between Males and Females to ascertain if there is any different pattern between the genders.

Gender	All Arrivals	Night Time Arrivals	Night Time %
Male	1129	278	24.62%
Female	205	81	39.51%
Total	1334	359	26.91%

The proportion of night times moves are very similar to the previous sample taken in July 2014, so there does not appear to have been a major change in approach during the last year.

The IMB remain concerned about the significantly higher proportion of night time moves for the female population. However, given that HIRC is located close to Heathrow, and is one of the few IRCs that can house female detainees, this is not really that surprising, and the facilities available in the Sahara Unit at HIRC are a considerable improvement compared to the alternative, the holding rooms at Heathrow Airport.

The chart on the following page shows the distribution of arrival times during the night state:-



As can be seen from the graph, there remains a considerable level of activity until 3am for both male and female populations.

Overall the July 2015 sample is showing a worsening trend compared to July 2014, with detainees being brought to HIRC well into the early hours of the morning.

Length of Detention

The following analysis has been compiled using the monthly reports provided by the Home Office to the IMB at Heathrow IRCs, detailing all the detainees currently held at Colnbrook and Harmondsworth, who have been in continuous detention in excess of 6 months.

There has been a certain amount of data cleansing, as in some of the reports certain detainees' information has been duplicated. These duplicates have been removed from the statistics quoted in this report.

In addition, as the reports produced are compiled separately for Colnbrook and Harmondsworth, individual detainees who have been transferred between the two sites will also appear in both sets of data, for any information attributed to Heathrow IRCs as a whole, these individuals have been de-duplicated.

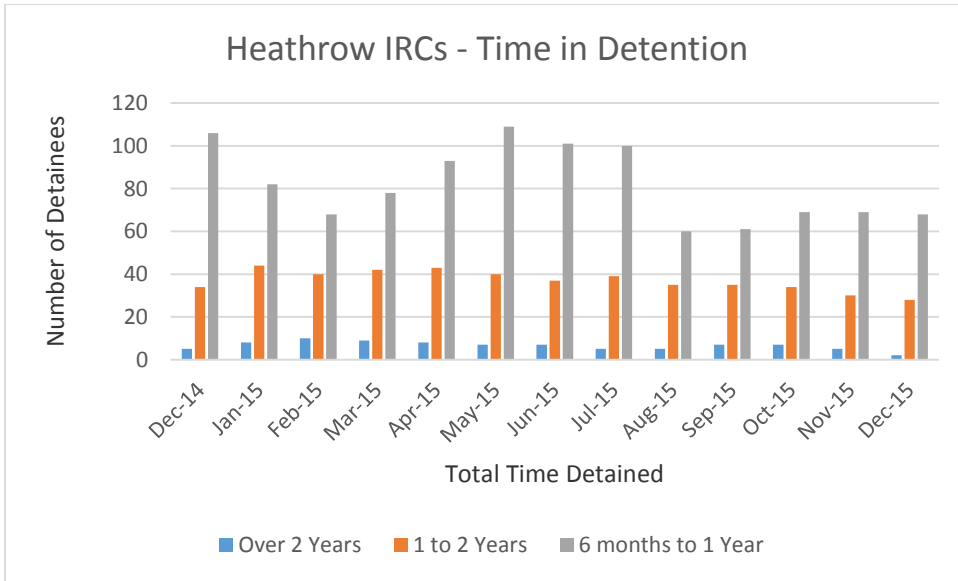
In order to establish the reason for leaving detention, the reasons recorded on DMS by C&C staff have been used as this information is readily available to the IMB. The IMB acknowledges that this information will not have been verified by the Home Office.

The overall numbers remained fairly consistent throughout the year up to the end of July, at the beginning of 2015, there were 145 detainees in residence and in July this figure was 144, with a low of 118 in February and a high of 156 in May. There was a step change fall in August to 100, and this lower level has been maintained for the remainder of the year with the lowest level of 98 being recorded for December. The step change is likely to have resulted from the suspension of the DFT process which resulted in a significant number of releases from detention in the summer. The reduction of circa 40 detainees was predominantly reflected in the 6 to 12 months in detention group.

In the 1 to 2 year category the situation deteriorated in the early part of the year with 34 detainees held at the start of the year rising to a peak of 44 in January which has then gradually declined throughout the year to a level of 28 at the end of December, the low point for the year. This is an encouraging trend.

In the over 2 years category, the numbers have fluctuated from 5 at the start of this reporting period to a high of 10 in February, but for most of the year they have remained steady in a 5 to 7 range for most months, but with a significant drop in December to 2, the low point for the year.

The following graph shows the trends for the overall Heathrow IRCs.

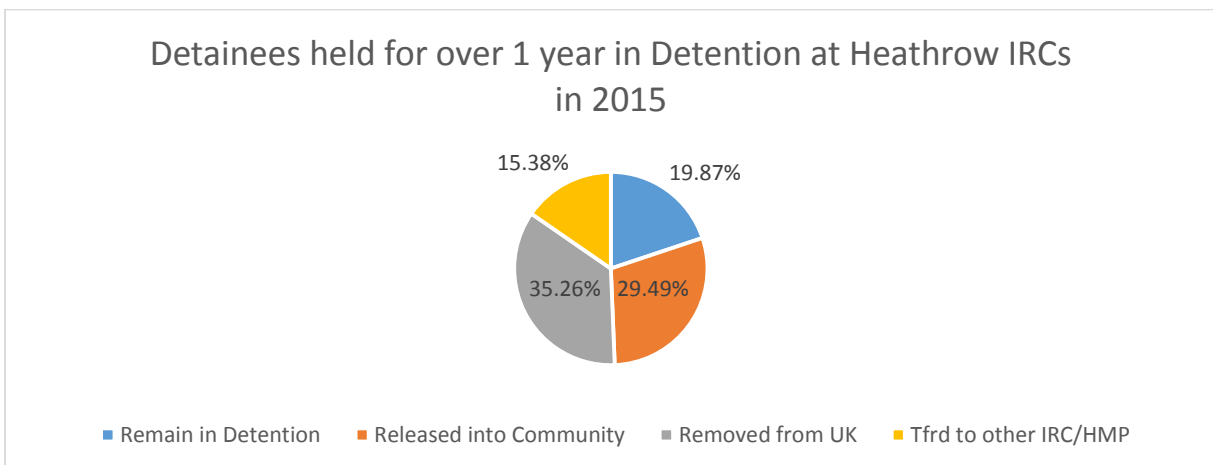


Detainees held in Detention for over 1 Year

The next part of the analysis has focussed on the subset of detainees who have been held in continuous detention in excess of 1 year, and has sought to understand for this group of detainees whether they still remain in detention as at December 2015, or if not why they are no longer being detained.

Almost 20% of the 156 detainees who have been held in this 12 month period, whose continuous detention has exceeded 1 year at any point during this period, remain in detention at the end of the period. Just under 30%, have been released into the UK Community either through Temporary Admission, Bail or Leave to Remain. Slightly more, 35% have been removed from the UK, and the remainder have been transferred to other IRC's and the IMB has no information on what has subsequently happened to these detainees.

The graph below illustrates this breakdown



In previous years similar analyses have been undertaken for Colnbrook IRC, but not for Harmondsworth. However, as the samples for both Colnbrook and Harmondsworth for 2015, produce similar profiles, it is felt appropriate to compare the Heathrow IRCs results for 2015 with those previously produced for Colnbrook IRC.

Some care is required in interpreting these results, however, there has been an improvement from the Home Office perspective in 2015 in the proportion being removed from the UK from around a third to 43% this year with the average time in detention remaining around 1 year and 5 months for this group. Numbers still in detention at around 20% are similar this year to 2013, and the IMB believe that the 2014 comparator was somewhat skewed due to information not being provided for the full year in 2014. The IMB remains concerned that around 36% of detainees are released into the UK community having spent on average 1 year and 8 months in detention.

Status of Detainee	2013			2014			2015		
	No.	%	Average Detention Period	No.	%	Average Detention Period	No.	%	Average Detention Period
Released into Community	29	48.4	1 year 6 months	6	13.9	1 year 8 months	46	35.4	1 year 8 months
Removed from UK	20	33.3	1 year 5 months	14	32.6	1 year 8 months	56	43.1	1 year 5 months
Still in Detention	11	18.3	1 year 6 months	23	53.5	1 Year 9 months	28	21.5	1 year 6 months
Total Analysed	60			43			130		
Transferred to Other IRCs	20			8			24		
TOTAL	80			51			154		

The average times in detention are relatively stable throughout the 3 years, although these averages mask substantial variations with the highest detention period in 2015 to date totalling 5 years and 6 months for an individual who was then given Temporary Admission to the UK. This is clearly unacceptable, given that the Home Office are only empowered to detain individuals where there is a reasonable and imminent prospect of removal. These sort of timescales suggest that the decision making processes are potentially deficient, and would benefit from independent scrutiny.

Complaints Statistics for 2015 Dealt with by C&C

Appendix D

Complaints	Jan-15	Feb-15	Mar-15	Apr-15	May-15	Jun-15	Jul-15	Aug-15	Sep-15	Oct-15	Nov-15	Dec-15
Total submitted	57	37	39	49	27	32	28	16	36	33	39	27
Substantiated	8	3	3	3	2	2	3	2	5	1	1	0
Withdrawn	8	9	7	11	3	4	4	1	4	5	7	3
Complaint Categories	Jan-15	Feb-15	Mar-15	Apr-15	May-15	Jun-15	Jul-15	Aug-15	Sep-15	Oct-15	Nov-15	Dec-15
Accommodation	0	1	0	0	0	0	0	0	0	0	0	0
Admin Process Error	0	1	0	1	0	0	0	1	0	0	0	0
Availability	11	9	12	11	7	7	6	6	8	7	4	0
Catering	0	0	2	0	0	0	0	1	1	0	0	6
Customer Care	0	0	0	0	0	0	0	0	1	0	2	0
Complaint Handling	0	0	0	0	1	0	0	0	0	0	0	0
Delay	0	2	1	0	0	0	0	0	0	0	0	0
Detainee/Detainee	0	2	1	2	0	2	1	1	1	1	0	0
Escorts	2	0	0	0	0	0	0	0	0	0	0	0
Minor Misconduct	9	5	12	16	7	3	4	2	15	10	17	5
Physical Environment	0	4	4	6	3	9	3	2	5	3	3	4
Property Damaged	0	0	0	0	1	0	1	0	0	0	0	2
Poor communication	1	2	2	3	1	1	1	0	1	2	2	0
Property lost / stolen	14	8	3	10	7	8	11	3	3	8	9	9
Property Withheld	1	3	2	0	0	1	0	0	0	2	0	1
Racism	0	0	0	0	0	1	0	0	1	0	2	0
Wrong Information	0	0	0	0	0	0	1	0	0	0	0	0
Complaint Outcomes	Jan-15	Feb-15	Mar-15	Apr-15	May-15	Jun-15	Jul-15	Aug-15	Sep-15	Oct-15	Nov-15	Dec-15
Not Substantiated	38	22	32	24	21	29	21	13	27	14	19	23
Partially substantiated	3	3	2	1	0	0	1	0	1	9	4	1
Substantiated	8	3	3	2	3	2	2	2	4	1	1	0
Withdrawn	8	9	3	11	3	4	4	1	4	5	9	3
Ongoing	0	0	0	0	0	0	0	0	0	4	6	0
Total submitted (per site)	Jan-15	Feb-15	Mar-15	Apr-15	May-15	Jun-15	Jul-15	Aug-15	Sep-15	Oct-15	Nov-15	Dec-15
Colnbrook	22	25	34	34	17	18	16	9	15	14	25	19
Harmondsworth	35	12	5	15	10	14	12	7	21	19	14	8