



Annual Report
of the
Independent Monitoring Board

at the

**Gatwick Pre-departure
Accommodation**

for reporting Year
2017

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Monitoring fairness and respect for people in custody

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1 STATUTORY ROLE OF THE IMB

The Immigration and Asylum Act 1999 requires every Immigration Removal Centre (IRC) or Pre-departure Accommodation (PDA) to be monitored by an independent Board appointed by the Secretary of State from members of the community in which the establishment or centre is situated.

The Board is specifically charged to:

- (1) satisfy itself as to the humane and just treatment of those resident within its establishment
- (2) inform promptly the Secretary of State, or any official to whom she has delegated authority as it judges appropriate, any concern it has.
- (3) report annually to the Secretary of State on how well the establishment has met the standards and requirements placed on it and what impact these have on those in residence.

To enable the Board to carry out these duties effectively, its members have right of access to every resident and every part of the establishment and also to the establishment's records.

2 EXECUTIVE SUMMARY

This report presents the findings of the Independent Monitoring Board at Gatwick Pre-departure Accommodation (PDA) for the period 1 June to 31 December 2017.

IMB evidence comes from observations made on visits, scrutiny of records and of data, informal contact with families and staff, and one application to see the IMB.

Main judgements

Are detainees treated fairly?

Detainees are treated fairly within the Centre. Families have raised no complaints about their stays and are often complimentary about the help they are given. The IMB is, however, concerned about the fairness of the whole process and its impact upon affected children.

Are detainees treated humanely?

Detainees are treated humanely within the Centre. Good relationships between staff and families support this. Families have raised concerns about potentially inhumane treatment on arrest or transfer to the PDA.

Are detainees prepared well for their return or release?

Detailed planning and efforts made by Hibiscus to contact support agencies in other countries have supported the relatively few removals that have taken place. Flexible arrangements have been made to facilitate families' returns to their home in the UK.

Main Areas for Development

TO THE MINISTER

We ask the Minister to consider the establishment of a system of monitoring the arrest and transfer of families. As with their stays at the PDA, these aspects of the families' experiences should be carried out consistently humanely and with respect for all, including the very vulnerable children; arrest and transfer are currently under-monitored.

We ask the Minister to re-consider the practice of including pregnant women in the PDA process.

TO THE HOME OFFICE

Given the variable outcomes, and in light of the distress caused to children and parents, we would like to see a review of the cost and time spent on the family removals process as it involves the PDA.

TO THE CONTRACTOR

We ask G4S welfare staff to devise a system for referral to UK based social services teams, where relevant, which requires acknowledgement of the referral and feedback from the receiving authority.

As this is a new provision, there are no outstanding issues from previous reports

3 DESCRIPTION OF THE ESTABLISHMENT

As part of the immigration control estate, the new PDA opened near Gatwick airport in June 2017. It is located on the same site as, and adjacent to, Tinsley House Immigration Removal Centre. The PDA replaces Cedars, which closed at the end of 2016. The centre provides accommodation for up to two families en route to removal from the UK. They are held as a last resort, when all other options such as the assisted voluntary return process have failed. Residents typically stay for up to 72 hours. However, in exceptional circumstances, and with ministerial authority, this stay may be extended up to seven days.

The environment is family-friendly, with attractive play areas and comfortable family suite accommodation. There is some outside play provision, separated by a low fence from that provided for families who are temporarily located in adjacent Tinsley House.

The PDA is staffed by a team of officers, social workers and administrative staff employed by G4S who have been contracted by the Home Office to run the facility. Personnel from Hibiscus Initiatives, a voluntary sector organisation with experience in international reintegration and resettlement, also provide input and information for families.

During 2017 G4S held the contract for the Gatwick Immigration Estate, comprising Tinsley House, Brook House and the PDA. In September Brook House was featured in a Panorama programme which did not place it in a good light. Later that month the overall director of the estate left the company and a new overall manager subsequently took over. We are not aware of any direct or indirect impact that this situation has had upon the PDA.

From its opening until the end of December 2017, the PDA accommodated ten families. Of these, only two were removed; six were released from the PDA; two en route to being removed. Eight nationalities were recorded at the PDA, the largest proportions being of Chinese or Albanian origin.

B. Evidence sections 4 – 11

4 SAFETY

1. Physical Safety

PDA residents are held safely within the provision. The PDA rooms and suites are separated from Tinsley House by secured doors. Any windows that overlooked the provision from Tinsley House have been obscured. Efforts such as the planting of high bushes have been made to improve the appearance of the approach to the centre. However, when a coach arrives it has to manoeuvre around Tinsley House car park and gates so the impact of arriving at a detention centre is not entirely obliterated.

2. Safeguarding

Safeguarding is reviewed internally on a monthly basis. An external safeguarding group meets quarterly. This group includes representatives from West Sussex Local Authority, the Office of the Children's Champion and the police. Both meetings are monitored by the IMB and we are satisfied that safeguarding is given appropriate priority within the provision. Welfare staff take care to monitor the children's responses to the situation. We have seen them work very sensitively with children who have been upset by their removal from home or their parents' distress.

Where necessary and when families have returned to their UK home, referrals are made to their local social services team so that vulnerable children may be followed up and given appropriate support. Unfortunately receiving authorities do not always provide feedback on any action taken so there is potential for families to 'fall through the net'. Although not directly impacting upon children while in the centre we feel that this should be addressed.

1. Families' experiences

When we see them in the PDA, families are often relieved to be somewhere safe, comfortable and child-friendly. However, they share with us the trauma of arrest teams arriving in the early hours to collect them, their children's' distress at being removed from familiar surroundings and their worry about what will happen next. We hear these feelings expressed on a regular basis and they formed the basis of the one formal complaint made to the IMB and the Home Office. We are concerned that no system currently exists to monitor regularly the arrest and transfer of families to the PDA.

2. Effectiveness of the process

Given that only 20% (two out of ten) of the families were removed from the PDA, we question the cost and time spent on this system compared with the distress caused to families. Often judicial reviews are obtained at the very last minute – in one case when the family were on board a plane that was preparing to leave. Although this may seem a positive outcome at the time, for parents and children the possibility of having to go through the same process again can weigh very heavily on their minds.

3. Impact on equality and fairness

We are aware of the detailed planning and work that has been done with parents to encourage them to leave the UK voluntarily prior to this final attempt to remove them. However, we are concerned about children being taken from their homes and facing removal to a country that they do not know. We consider that this experience negatively impacts on equality and fairness in the treatment of these vulnerable young people.

6 REMOVAL FROM ASSOCIATION/TEMPORARY CONFINEMENT (rule 40/42)

1. Use of Rule 40 or Rule 42

There has been no use of Rule 40 or 42 in the PDA.

2. General issues

Where staff are concerned about a family member, appropriate use is made of the assessment care in residence and teamwork (ACRT) process to ensure that residents are monitored and supported when necessary. During 2017, this process was appropriately used twice.

ACCOMMODATION (INCLUDING COMMUNICATION)

1. Views of resident families

We have received nothing but positive comments from families about the care and accommodation they experience at the PDA. Although IMB members feel that greater emphasis could be made on making the general environment more teenage-friendly, we appreciate that the majority of children so far have been under the age of ten.

2. Accommodation

Families are accommodated in suites, or apartments, that are comfortable and attractive. Play areas for younger children are well equipped and there is another room for use by older ones.

3. Food and catering

The PDA contains a kitchen and dining area where meals are provided. Alternatively, for those who wish to cook for themselves, staff can order and provide requested ingredients. Tea and coffee making facilities and drinks for children are available in the apartments. We have observed the positive impact that being able to make choices about food and whether to cook or not, have on the resident families.

4. IT facilities

Parents are able to send and receive faxes. They also have access to a computer. Staff are very supportive and help those who need it to make full use of these facilities.

5. Access to faith and worship

The PDA has a dedicated faith room that is used by families on a regular basis. When requested, access to a minister of a chosen faith has helped those in need to come to terms with their difficult situation.

7 HEALTHCARE (including mental health and social care)

1. Healthcare provision

Medical staff are readily accessed by families. A nurse is on site and a doctor sees all residents within a few hours of their arrival at the centre. Where necessary, residents can be taken to hospital. One pregnant resident was monitored carefully during her stay at the PDA. However, her refusal to drink and lack of engagement with Healthcare was deemed to be affecting factors that eventually resulted in her being granted temporary release. We maintain that she should not have been subjected to the stress of the removal process.

9. EDUCATION AND OTHER ACTIVITIES

1. Education

The timescales do not allow for formal teaching of resident children to take place and it is therefore not within the remit of the PDA. However, G4S staff take care to support children in their learning during their stay.

2. Other activities

A good range of play and learning equipment is provided for children during their short stays at the Centre. Welfare staff and officers make every effort to engage them in different activities. The decision to separate the outside play areas between PDA and Tinsley House seems rather arbitrary as the fence is low and serves only to halve the potential play space for either group.

1. Legal advice and support

Families' arrival at the PDA often triggers a burst of action from their legal representatives. While, from their point of view, obtaining a judicial review or stay of removal can seem like a success, this raises a number of concerns. We do not understand why, if such decisions can be made in the families' favour, they could not have been reached prior to their transfer to the PDA. We would like to see a review of this process so that parents and vulnerable children are not subject to the stress of arrest and transfer only to be released, sometimes at the very last minute.

2. Preparation for removal to another country

Hibiscus staff work hard to locate support agencies who may be able to help families once removed. They also provide good information about a range of countries and share this with parents and, if they wish it, their children.

G4S staff make every effort to support children even as they leave the PDA and provide activities and toys for the journey.

3. Preparation for return to their UK home

Where decisions have been made for families to be released, G4S staff try to return them on the same day. Where this has not been possible, families have been accommodated either, with their consent, for an extra day at the PDA, at a neighboring hotel, or at another Home Office provision. In future we would prefer to see the first two options used, rather than the third, as we consider them more family-friendly.

Section C – Work of Board

WORK OF THE INDEPENDENT MONITORING BOARD

During the reporting period IMB members made weekly scheduled, unannounced visits to neighbouring Tinsley House. Where families have been in residence, we have also visited the PDA. We have attended meetings held within the PDA, as observers, and witnessed arrivals and removals of families. The Board continued to meet and attend external conferences and training events between the closure of Cedars and the opening of the PDA.

During 2017 the number of IMB Board members remained below the full complement of 12. We started the reporting year with six members. It is a credit to serving members that we were able to fully discharge our monitoring role until two new members joined at the end of the year. A further three new members are due to join in 2018.

During the months of opening, IMB members made 15 visits to the PDA including for Board meetings. The Board would like to thank our IMB Clerks for their support and assistance during the reporting period. We also appreciate the willingness of families, managers and staff to engage with us in a positive manner.

BOARD STATISTICS	
Recommended Complement of Board Members Tinsley House and the PDA	12
Number of Board members at the start of the reporting period	6
Number of Board members at the end of the reporting period	8
Total number of visits to the Establishment	15

Section – Applications (Requests to see the IMB)

Code	Subject	Current reporting year	Previous reporting year not included as not comparable
A	Accommodation including laundry, clothing, ablutions	0	
B	Equality	0	
D	Purposeful activity including education, work, training, library, regime, time out of cell	0	
E 1	Letters, visits, phones	0	
E 2	Finance including pay, private monies, spends	0	
F	Food and kitchens	0	
G	Health including physical, mental, social care	0	
H 1	Property within this establishment	0	
H 2	Property during transfer or in another establishment or location	0	
J	Staff/detainee concerns including bullying	0	
K	Immigration issues and transfers	1	
	Total number of IMB applications	1	