



Annual Report

Yarl's Wood

Immigration Removal Centre

January – December 2018

Published June 2019



Monitoring fairness and respect for people in custody

TABLE OF CONTENTS

A INTRODUCTORY SECTIONS

1	STATUTORY ROLE OF THE IMB	page 2
2	EXECUTIVE SUMMARY	page 3
3	DESCRIPTION OF THE ESTABLISHMENT	page 6

B EVIDENCE SECTIONS

4	SAFETY	page 7
5	EQUALITY AND FAIRNESS	page 9
6	REMOVAL FROM ASSOCIATION AND TEMPORARY CONFINEMENT.....	page 9
7	RESIDENTIAL SERVICES.....	page 10
8	HEALTHCARE (including mental health)	page 11
9	EDUCATION, WORK AND OTHER PURPOSEFUL ACTIVITY	page 12
10	PREPARATION FOR REMOVAL OR RELEASE	page 12

C	THE WORK OF THE IMB	page 15
---	---------------------------	---------

D	APPLICATIONS TO THE IMB	page 16
---	-------------------------------	---------

SECTION A

INTRODUCTORY SECTIONS

1. STATUTORY ROLE OF THE IMB

The Prisons Act 1952 and the Immigration and Asylum Act 1999 require every prison and IRC to be monitored by an independent Board appointed by the Secretary of State from members of the community in which the establishment is situated.

The Board is specifically charged to:

- (1) satisfy itself as to the humane and just treatment of those held in custody within its establishment and (for prisons and YOIs) the range and adequacy of the programmes preparing them for release.
- (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 its custody.

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

2. EXECUTIVE SUMMARY

Introduction

This report presents the findings of the Independent Monitoring Board at Yarl's Wood IRC for the period 01/01/2018 – 31/12/2018. IMB evidence comes from observations made on rota visits, scrutiny of records and data, informal discussions with detainees and staff, and detainee applications.

Main judgements

i. Are detainees treated fairly?

The IMB acknowledges the efforts made by the Centre's management and staff to treat detainees fairly. However, detainees who do not understand English are at a disadvantage and this can contribute to the confusion and anxiety they feel about their situation. (4.5, 5.3)

ii. Are detainees treated humanely?

The Board recognises the Centre's efforts to treat detainees humanely, but still has concerns about the detention of vulnerable adults. (4.4)

iii. Are detainees prepared well for removal or release?

Detainees who are to be removed are treated justly and humanely by escorts and Centre staff, although the amount of time for which some of them are held on the coach must add to their general sense of stress. (10.10)

The IMB also feels strongly that the current system of notifying detainees of their removal lacks clarity and humanity and does not prepare some of them properly for removal. (10.7,10.8)

RECOMMENDATIONS

TO THE MINISTER

- Greater care must be taken by the gatekeepers over the decision to detain in order to prevent vulnerable people suffering further harm as a result of detention. (4.4)
The detention of people with a successful Rule 35 assessment, and therefore also deemed vulnerable, should end promptly after the result of the assessment is received. (4.8)
- The process of issuing removal directions should be modified, with the removal window reduced, to encourage detainees to focus on preparation for their removal. Once the removal date has been set, they should be given reasonable notice in person, followed by an interview with Welfare and/or Hibiscus to ensure they are prepared for departure as well as possible. (10.7,10.8)

TO THE CONTRACTOR

- Some of the confusion and anxiety felt by new arrivals at the Centre could be reduced by increasing measures to ensure that they are fully aware of how the Centre operates and where to go for help. Information given during the induction process should be supplemented by actively distributing the written information available in different languages. (4.5, 5.3)
- If a future increase in numbers at the Centre leads to the reintroduction of large charter removals, systems should be in place to avoid congestion and the need to hold newcomers outside on their transport. This would improve the experience of detainees arriving at the Centre. (10.11)

TO THE PROVIDER of HEALTHCARE

- Continue to recruit so that Healthcare is fully staffed and able to cope with any future increase in the detained population. (8.1,8.2)

TO THE PROVIDER OF ESCORTING SERVICES AND DEPMU

- Explore alternative systems for loading coaches for charter removals to speed up the process and avoid holding departing detainees on outbound coaches for a long time. (10.10)

MAJOR OUTSTANDING ISSUES FROM PREVIOUS REPORTS

- Although the Minister initially rejected our recommendation of a maximum time limit for detention, we were pleased when the Home Secretary announced a review into how time limits work in immigration detention. Indeterminate detention is widely acknowledged to be harmful to detainees' mental and physical health and the stress and uncertainty of being detained without a definite release date was the main grievance behind the food refusal protest in February.
- We welcome the forthcoming pilot scheme to care for vulnerable women in the community as a means of exploring alternatives to detention, but other forms of supervision should also be considered.

3. DESCRIPTION OF THE ESTABLISHMENT

- Yarl's Wood IRC is a purpose-built Immigration Removal Centre (IRC) for the detention of single women and adult family groups under immigration legislation.
- There is also a Short-Term Holding Facility (STHF) on the premises, known as Bunting unit, with accommodation for up to thirty-eight male detainees. These are mostly "lorry drop" men and usually are brought to the Centre for a few days only, before being transferred to supported accommodation in the community.
- The Centre and the STHF are managed on behalf of the Home Office Immigration and Enforcement unit (HOIE) by Serco.
- The maximum capacity of the Centre is 410. From late spring 2018, following the disclosures about Windrush and a shift in the approach to immigration detention, there was a significant reduction in the number of women detained at the Centre, leading to the closure of one unit. The average number of single women detained per month was 218. The number of men in Bunting varied, but was never more than 25.
- The former separation unit, Nightingale, is now multi-purpose and includes cells and rooms for use under Rules 40, 42, or 15. In 2018 it sometimes provided more relaxed accommodation for detainees requiring a greater level of support. The adjacent supported living facility provides temporary accommodation for detainees who struggle to cope on a main unit. In addition, Nightingale is used at times as a pre-departure area.
- Most of the accommodation is in en suite twin rooms, although single rooms are provided when necessary. All residential units provide access to a garden area.
- On-site healthcare is provided by G4S, commissioned for Yarl's Wood by NHS England, with additional services provided by the Kaleidoscope Group. Together they support detainees in diagnosing and managing all health conditions, including mental health and well-being.
- Home Office staff and the welfare officer run daily surgeries to support detainees. Further services are supplied by external organisations: Hibiscus, who advise on resettlement, the Red Cross who help trace families and BID, who advise on bail applications. Yarl's Wood Befrienders also visit and support detainees.
- Spiritual support and counselling are provided by the religious affairs team, with representatives from all of the main faiths.
- Educational opportunities are provided by a teacher employed by the Contractor.
- In 2018 the Centre was again subjected to media scrutiny after a number of high-profile, well-publicised visits. This led to a short food refusal protest.

SECTION B

EVIDENCE SECTIONS

4. SAFETY

- 4.1** The number of detainees placed on ACDT in the last six months of the year was proportionally high compared to the total number of detainees. In 2017, 6.71 % of detainees were placed on ACDT. In 2018 this figure was 7.2%, rising to 8.5% in the second six months of the year. Peaks were in March, June and October.¹ If a new arrival reported previous acts of self-harm or indicated thoughts of self-harm, an ACDT was automatically opened until the detainee had been evaluated and then it was maintained as appropriate. It would seem that despite the Adults at Risk Policy, vulnerable people are still being brought to the Centre.
- 4.2** There were 41 cases of actual self-harm in 2018, reflecting the reduced occupancy of the Centre. (61 in 2017). The highest number was in November (7) which included multiple incidents committed by the same person.¹
- 4.3** The aim of the Adults at Risk policy, introduced in 2016, was to help manage the detention of vulnerable persons, but despite this, they are still being detained and brought to Yarl's Wood. In 2018, five detainees were ultimately sectioned. The IMB remains unsure as to how effectively the policy is operating as yet and would concur with Stephen Shaw when he describes it as "a work in progress".²
- 4.4** In April there was a shocking case when a married couple and their adult son were brought to the Centre prior to removal. The son suffered from epilepsy and had a learning disability. The trauma of detention and the uncertainty of the future caused his health to deteriorate rapidly. It was immediately clear to all staff in the Centre that he should never have been detained and the family was released. The IMB is concerned about the procedures in place at the point of detention of this family and must ask whether the needs of this vulnerable young man were properly assessed.³
- 4.5** During rota visits, the Board noticed several occasions when detainees were disadvantaged due to their lack of English. The valuable services offered by Kaleidoscope were, at times, hampered by communication problems and it was noted that a number of new arrivals seemed unsure about procedures in the Centre. Subsequently, the Board monitored the induction process and saw examples of good practice. On arrival at the Centre, newcomers are often too worried or confused to

¹ Serco Safer Detention Report, December 2018

² Assessment of government progress in implementing the report on the welfare in detention of vulnerable persons, Stephen Shaw, July 2018

³ IMB rota reports

assimilate lots of new information, so they are given an initial induction, followed by overnight checks and a second session the next day. The Meet and Greet team also play a role in this, giving a lot of information, which unfortunately is not always well understood. These language difficulties, when combined with the emotional state of the detainee, have sometimes led to uncertainty and bewilderment.¹ (See 5.3)

4.6 In 2018 there were 28 incidents of use of force. This is a 56% reduction compared to 2017, reflecting the reduced numbers in the Centre. Of these, 52% were for non-compliance on removal, 29% to prevent self-harm and 17% (4 in total) were planned.²

4.7 In May there was a very difficult and unpleasant use of force incident, which resulted in three officers needing hospital treatment and another officer being temporarily suspended. After a thorough investigation, it was found that all officers had responded very well to an extremely challenging situation.³

4.8 For several years the Board has commented on the harmful effect of indeterminate detention on the mental health of detainees, so the reduction in length of detention in 2018 was welcome. 89% of those detained were held at the Centre for less than one month with slightly fewer than 3% held for longer than six months.⁴ (65 women, compared to 69 in 2017).

However, the Board still maintains that it would be more humane for each detainee to have a fixed term of detention and to know on arrival at the Centre that by a certain date, they would be removed from or bailed to the country. Those detainees whose Rule 35 report acknowledges them as vulnerable should have a prompt conclusion to their detention once the evaluation has been made. In 2018, this was 23% of those who submitted a Rule 35 report.⁵

4.9 Despite fewer people being brought to the Centre, the arrivals and departures area was often very busy with detainees arriving or departing, including those going out temporarily for external appointments. In the last three months of the year, 137 more people left the Centre than were admitted, with an average of 14.5 leavers per day, compared to 13 arrivals.⁶

In 2018 63% of Yarl's Wood women were granted leave to remain in the UK or bailed to the country.⁴ 40% of these were released within one month and 51% within two months. This reflects the serious concern expressed in last year's report and again leads the Board to question the validity of the initial decision to detain.

¹ IMB rota reports

² Serco data

³ Serco video footage; DCF 02, Annex A

⁴ Home Office Immigration Statistics, Q4 2018

⁵ Home Office data

⁶ Serco Centre Manager's Report, Dec.2018

4.10 Violence reduction initiatives (VRIs) were renamed TABs (Tackling Anti-social Behaviour) in the autumn. There were 20 in 2018 (29 in 2017). This is a relatively high number, given the reduced occupancy of the Centre. The Board considers that this reflects the Centre's efforts to lessen disagreements between detainees in order to maintain a more pleasant environment for all.¹

5. EQUALITY AND FAIRNESS

5.1 The Board welcomes the Centre's continued efforts to maintain and recruit female staff. Although there are inevitable fluctuations in staffing, the target of 60% female staff was reached on a number of occasions and the average for the year was 51% female staff and 49% male staff. All units have some female staff and it is pleasing to see that two units now have entirely female staff. The exception to this is Bunting unit, which is for men only and so has an exclusively male staff.²

5.2 In 2018, UKLGIG (UK Lesbian & Gay Immigration Group) began to run a monthly workshop offering help and support to detainees.¹

5.3 Throughout the year, the Board found a number of cases where women (or men) had to endure additional worry due to their inability to speak or understand English. The very process of arrest, detention and imminent removal is frightening enough, yet detainees have the additional stress of not understanding what is happening to them or what to do about it. It is vital that anxious and emotional detainees, when faced with an uncertain future, receive the appropriate reassurance and advice, and it is unfair if they cannot access this information. The Centre produces information in 22 different languages which must be distributed where needed. Later in the year, the Centre introduced the use of tablets with Google translate. This has been a welcome measure to help combat the problem.³ (See 4.5)

6. REMOVAL FROM ASSOCIATION AND TEMPORARY CONFINEMENT

6.1 The Board welcomes the continued reduction in the number of women placed under Rule 40 or Rule 42. In 2018 there were 43 removals under Rule 40 and 7 under Rule 42. (72 and 14 respectively in 2017). The majority of these (76%) were in the first six months of the year, reflecting the reduced population in the Centre in the last six months of the year.¹

6.2 Three detainees placed under Rule 40 or 42 suffered from mental health issues. These moves were usually instigated to ensure their own safety and that of other detainees.

¹ Serco Centre Manager's Report, December 2018.

² Serco data

³ IMB rota reports

As well as two cells, the refurbished Nightingale unit provides rooms in a more pleasant environment in which to care for the women. All three were ultimately sectioned.¹

- 6.3** The guidelines for removal from association seem to have ensured better process.² The Board was notified of most of these removals and the correct paperwork was usually supplied, although there was one occasion when a Board member did not learn about a removal until conducting a rota visit the next day. The detainee had already returned to her unit, so the Board had been unable to fulfil its duty to monitor the detainee's welfare.¹
- 6.4** 24% of Rule 40 removals were pre-departure removals. They were used for detainees with a history of disruption associated with removal and aimed to pre-empt further disruption. (See 10.6)

7. RESIDENTIAL SERVICES

- 7.1** In February, following media coverage of several high-profile visits, a number of detainees embarked on a food refusal protest to draw attention to their situation in detention. The impact on the morale of both staff and detainees was negative, but despite this, the Board considers that the protest was managed well. All food refusers were carefully monitored and any potential difficulties were handled calmly and with care.³
- 7.2** In the course of the year, new menus were introduced and the main meal is now served in the middle of the day. There are a lot of carbohydrates and not many fresh vegetables, although fresh fruit and salad are always available. The Board has received some complaints about the food, but acknowledges that it is not easy to cater for the diverse tastes of a changing population.³
- 7.3** During rota visits, the IMB found plenty of examples of staff who were trying to build trusting relationships with detainees. In conversations with detainees, some said that most staff were kind and helpful.³

¹ IMB RFA reports

² DSO 2/2017

³ IMB rota reports

8. HEALTHCARE (including mental health)

- 8.1** The Board acknowledges the continued improvements in the running and staffing of Healthcare. There have not been the frustrated queues or tension that were present in the past and there have been fewer serious complaints made to the Board.² (See 8.7)
- 8.2** The Board welcomes the improved access to appointments with female doctors, which is of considerable benefit for a detained female population. The nursing staff is fully recruited and there are plans for a nurse bank. The dispensing of paracetamol is now managed by the healthcare team, rather than detention officers. (See 8.7). Appointments with a GP and for Rule 35 assessments can now be made for the next day, although this may be influenced by the reduced number of detainees. (In 2017 the average waiting time for a Rule 35 assessment was 14 days).¹
- 8.3** The IMB applauds the considerable efforts of the G4S healthcare team and Kaleidoscope to manage and relieve the psychological distress of detainees. The Board has charted the activity of the mental health and well-being services and found that they have a mutually supportive partnership, each making referrals to the other.¹
- 8.4** The number of mental health assessments in 2018 was surprisingly high, considering the smaller population. There was an average of 87 assessments per month in 2018, averaging 137 per month from January to March. From July to December this fell to 74 per month, as the population reduced. Increased training in mental health awareness for officers and G4S staff has prompted more referrals, but in addition, the period when a number of homeless immigrants were brought to the Centre led to a sharp rise in the numbers of those needing mental health assessments.¹
- 8.5** The 2017 IMB report recommended that mental health assessments should be offered no later than 30 days after arrival at the Centre, so the Board is very pleased to note that appointments with the Registered Mental Health Nurse (RMN) can now be made for the next day. The psychiatrist only attends every seven days, so appointments with the psychiatrist can only be offered every seven days.¹
- 8.6** In 2018, 5 women were sectioned. All were transferred within two weeks, some even the next day. Four of these took place in the first six months of the year, reflecting the Centre's reduced population following the Windrush scandal. In 2017, 14 Yarl's Wood detainees were sectioned.¹
- 8.7** Some detainees complained about the new system which had been introduced whereby paracetamol was only to be dispensed by the pharmacy and had to be taken there under supervision. The Board considers this to be a sensible move. Its aim was to prevent the potentially dangerous stockpiling of paracetamol and also to reduce the likelihood of more serious health conditions being masked by painkillers.²

¹ G4S healthcare data

² IMB rota reports

9. EDUCATION, WORK AND OTHER PURPOSEFUL ACTIVITY

- 9.1** The Board has been pleased to see the more diverse range of courses available this year. The attendance at English language classes (beginner, intermediate and advanced) has been good. Welcome additional courses have been food hygiene and customer service courses, as well as Heart Start and Paediatric Heart Start. These provide worthwhile skills for use after release from the Centre.¹
- 9.2** The IMB applauds the hard work and enthusiasm of the Centre's Activities Team in organising social events for detainees. These are popular and help to entertain detainees.
- 9.3** In the autumn the Centre began a pilot use of Skype to enable detainees to keep in touch with their families and friends. Unfortunately, there was not much interest in the scheme and few detainees availed themselves of the facility. The scope of the pilot was extended to include access to Whatsapp, which proved to be equally unpopular. Despite this, the Board suggests that it would be useful to continue to explore other platforms for communication.

10. PREPARATION FOR REMOVAL OR RELEASE

- 10.1** The majority of male detainees admitted to the Bunting unit (STHF), leave the Centre within two or three days of arrival.
- 10.2** During its monitoring of charter removals, the IMB saw detainees treated fairly and with empathy by Serco and HOIE staff and by the escorts, Tascor or Mitie, under what were at times, very difficult circumstances. Staff were proactive in de-escalating potential trouble and force was used sparingly.²
- 10.3** The Board witnessed staff give clear explanations about the procedure for removal and about access to phones during the journey. They provided reassurance that any change to the detainees' removal status up to the point of boarding the plane would be communicated to the detainee.²
- 10.4** Medical issues were dealt with well and pre-departure searches were conducted with dignity
- 10.5** Preparation for departure has improved during the past year. Detainees were better briefed about the collection of phones and the need to note phone numbers, so

¹ IMB rota reports

² IMB charter flight monitoring reports

avoiding extra stress and delay at the pre-departure point. Booklets about the destination country, where they exist, were distributed. On most occasions a representative of HOIE was present to respond to detainees' questions and concerns and this seemed to have a positive effect on their demeanour. It would therefore be beneficial if, when possible, a member of the team could be present if a number of detainees are to be removed.¹

10.6 Before some charter removals, detainees were moved to Nightingale, the separation unit. In these circumstances, the unit operated as Rule 15 accommodation, where detainees were free to make phone calls and had full access to the facilities. The Board has monitored some of these moves and found that they helped minimise disruption on the units and were well organised.¹ (See 6.4)

10.7 The Board does have concerns about unfair treatment due to detainees being removed at short notice. On one occasion, a detainee who was not aware that she was on the reserve list and so had made no preparations, was brought to reception shortly before the coach was due to leave. She was inappropriately dressed and her possessions were still in her room. This is neither fair, nor humane.¹

10.8 In March a married couple claimed that they had had no prior notice of their removal other than the standard letter advising that they could be removed within a 3-month window. Such cases cannot be justified by simply saying that detainees will have been served a letter advising of their possible removal between specific dates. This uncertainty is neither fair, nor humane. Very many detainees will be in denial and this means they will not be emotionally, practically or even materially prepared for removal when the time comes.¹

10.9 On 27th November, the IMB witnessed one particular instance of unsatisfactory treatment when a detainee was removed from Dungavel to Yarl's Wood to Doncaster airport all within a 24-hour period. This lady had refused to be moved from Dungavel the previous day, so the move then had to be enforced. She was in extreme discomfort with fibroids and sciatica, so even a move on consecutive days would not have been suitable. It would have been far more humane to have transferred her from Dungavel at an earlier date to allow her to recover from the journey and prepare her for her removal.¹

10.10 The Board is concerned about the significant amount of time that detainees have to spend confined on coaches whilst waiting for the removal process to be completed. This can be both distressing and uncomfortable. It would be more humane to allow detainees to be held in one of the waiting areas in the Centre until all the removals have been processed and then to board them all at the same time. It would reduce the amount of time spent on the coach, which for the first few, could be several hours, particularly when the time of boarding the plane is also taken into account.¹

¹ IMB charter flight monitoring reports

- 10.11** The IMB again observed inhumane treatment when congestion meant that incoming detainees had to wait outside reception on their transport.¹ As numbers fell, the Centre started to manage outbound reception directly from Nightingale. This has helped avoid any issue with inbound reception. However, the number of people leaving on charter flights has been low (and many were cancelled after Windrush), so the Board is concerned that this could become an issue again if numbers increase. Measures should be in place to ensure that those arriving are not subject to undue stress or fear from waiting for hours on a coach, in the dark, in a strange environment.
- 10.12** Welfare services and Hibiscus continue to offer valuable advice prior to departure to those detainees who make appointments. The Red Cross run a monthly Track & Trace workshop, assisting detainees in locating family through their tracing services and BID offers regular advice on bail applications. These services are valued and in great demand.
- 10.13** The demand for the HOIE drop-in surgeries, which were introduced in 2017 to assist and advise detainees, has continued. The number of surgeries available has increased accordingly, from 5 days per week to 7 days per week. This is a very welcome service as it enables detainees to have regular access to HOIE staff.
- 10.14** HOIE has actively promoted the voluntary return scheme and in 2018, 47% of detainees returned from Yarl's Wood left under the scheme. (452 men and women.)²

¹ IMB charter flight monitoring reports

² HOIE data

SECTION C

THE WORK OF THE IMB

The Board has made weekly rota visits when it has monitored the Centre and dealt with applications. Issues have been raised immediately with Serco, HOIE or Healthcare or during monthly Board meetings, as appropriate. Members have attended committee meetings within the Centre when possible and have been present at multi-disciplinary reviews to ascertain the best care plans for detainees. Board members have participated in training sessions organised by the Centre, in-house workshops and the national IDE Study Day. The two new members also attended the national training provided for them.

BOARD STATISTICS	
Recommended complement of Board members	12
Number of Board members at the start of the reporting period	11
Number of Board members at the end of the reporting period	9
Total number of visits to the establishment	231

SECTION D

APPLICATIONS TO THE IMB

Code	Subject of applications	2018	2017
A	Accommodation including laundry, clothing, showers, etc	4	7
B	Use of force, removal from association, temporary confinement	0	1
C	Equality	0	0
D	Purposeful activity incl. education, paid work, training, library, other activities	0	2
E 1	Letters, faxes, visits, phones, internet access	4	3
E 2	Finance incl. detainees' centre accounts	0	0
F	Food and kitchens	9	9
G	Health including physical, mental, social care	20	23
H 1	Property within this establishment	1	4
H 2	Property during transfer or in another establishment or location	1	5
I	Issues relating to detainees' immigration case; including access to legal advice	22	25
J	Staff/detainee conduct, including bullying	11 ¹	7
K	Escorts	1	2
	Miscellaneous	5 ²	NA
	Total number of IMB applications	78	88

¹ A number of these complaints were due to friction between detainees.

² One of these was a historical complaint made in 2017 by someone who had long since left the Centre.