



Annual Report
of the
Independent Monitoring Board
at the

**Gatwick Pre-departure
Accommodation**

for reporting Year
2018

Published
June 2019



Monitoring fairness and respect for people in custody

TABLE OF CONTENTS

Introductory Sections

Section	Topic	Page
1	Statutory Role	3
2	Executive Summary	4
3	Description of Establishment	6

Evidence Sections

4	Safety	7
5	Equality and Fairness	8
6	Removal from Association/Temporary Confinement	10
7	Accommodation	11
8	Healthcare (including mental health and social care)	12
9	Education and Other Activities	13
10	Preparation for release or removal	14

	The Work of the IMB	15
	Applications to the IMB	16

A Sections 1 - 3

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 January to 31 December 2018.

IMB evidence comes from observations made on visits, scrutiny of records and of data, attendance at meetings and discussions with families and staff.

Main judgements

Are detainees treated fairly?

Detainees are generally 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, however, remains concerned about the fairness of the whole process and its impact upon affected children.

Are detainees treated humanely?

Detainees are generally 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. The IMB have observed occasional use of force, particularly when employed on parents by the transfer company but within the centre. This has happened when attempting removal and has placed adults and their children in a situation that seems inhumane.

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. Access to legal advice and support has resulted in a number of last minute releases. When this has happened, careful arrangements have been made to facilitate families' returns to their homes in the UK.

Main Areas for Development

TO THE MINISTER

We ask the minister to commission a full review of the effectiveness of the family removals process as it involves the PDA, described by one child as 'a palace within a prison'.

We again ask the Minister to consider the establishment of an independent system of monitoring the arrest and transfer of families.

TO THE HOME OFFICE

We strongly urge the Home Office to make arrangements for families to consistently receive written and spoken information in their own language while in the centre. This is particularly necessary for each planned removal where either parent requires an interpreter and is likely to be in distress.

TO THE CONTRACTOR

We ask the G4S PDA managers to ensure that, where a removal is likely to be traumatic, careful planning is consistently used to ensure that children are not exposed to their parents' distress if force is used.

Major outstanding issues from previous reports

Last year we asked the Minister to consider the establishment of a system of monitoring the arrest and transfer of families, similar to that of the IMB within the PDA. The response was that there is already sufficient monitoring through the family returns processes and by HMIP. While we accept that HMIP are independent, inspections take place intermittently. We do not accept that the monitoring carried out by the family returns unit is sufficiently independent to ensure that all aspects of the removal process are carried out consistently humanely and with respect for all.

We asked the Home Office, in light of the distress caused to children and parents, to review the cost and time spent on the family removals process as it involves the PDA. We can only refer again to the time and cost spent this year in attempting to remove families, the distress caused to the children involved, and the relatively high number of failed removals. We now draw the minister's attention to this point.

We understand that the Home Office has commissioned a review of safeguarding by the Office of the Children's Champion. We await its outcome but doubt whether it will address the Board's concerns about the process and its effect on the children concerned.

We asked the Minister to re-consider the practice of including pregnant women in the PDA and removal process. Although we appreciate that care is taken of them while they are resident, we continue to have concerns that they are subject to such a stressful situation.

3 DESCRIPTION OF THE ESTABLISHMENT

As part of the immigration control estate, the 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 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.

A company commissioned by the Home Office carries out the transfer of families from the PDA to an airport. For the first part of the year, this was Tascor; a new contract was taken on by MITIE in May.

During 2018, the PDA accommodated 16 families, made up of 26 adults and 36 children. Of these, only two families were removed and fourteen were granted bail. We note that families subject to a third country removal are particularly resistant to being removed as they talk of the tented accommodation and poor food and hygiene that they have already experienced in the receiving country.

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. And all staff demonstrate a commitment to ensuring the safety and well-being of the families.

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. Some family circumstances have this year challenged the welfare staff and managers with situations that they have previously not encountered. In each case, appropriate advice has been sought from relevant agencies and lessons learnt for future application.

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. In our last report we commented that receiving authorities do not always provide feedback on any action taken so there is potential for families to 'fall through the net'. We asked for G4S welfare staff to devise a system for referral that requires acknowledgement of the referral and feedback from the receiving authority. We are pleased to report that this has been done; the welfare manager is assiduous in chasing any authorities that are slow to respond.

1. Families' experiences

When we see them in the PDA, families are often relieved to be somewhere safe, comfortable and child-friendly. We have observed positive interactions and a few positive departures. In the best example, arrangements were made to keep everything low key and for paperwork, luggage and handover to MITIE to be dealt with out of sight of the family. The lead MITIE officer went out of his way to engage with the children (getting down to their level, helping a little boy with his bags) and the search of their mother was carried out away from the children. Hibiscus had enabled contact to be made with the family in the receiving country. As a result of the efforts of all involved the family left calmly, the children proudly carrying their artwork.

Unusually, we observed two attempted removals that were traumatic for the families while they were within the centre. In both cases, the father was moved to a care and observation room prior to departure time (in one case 10 hours before) because he was deemed to be causing undue distress to the rest of the family. In the first case, this caused the man to become increasingly vocal in his distress as he called out to his family who were just within earshot. As the requirement is for G4S to 'present' the families for removal, Tascor took over the responsibility for transferring the families to the coach. This involved use of force on the father of one family and on both parents of the other, both within the centre and in attempting to carry them to the waiting coach. Lessons were learned from one case to the other so that more planning and preparation at least predicted parents' likely reactions but in neither case was removal effected. Teams were stood down only after at least an hour of distress, noise and alarm for the children concerned as they heard their parents cry out.

Parents have also shared 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. This formed the basis of the one formal complaint made to the Home Office this year. We remain concerned that no system currently exists to monitor regularly and independently the arrest and transfer of families to the PDA.

2. Effectiveness of the process

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, given that only two out of sixteen families were removed from the PDA, we continue to question the cost and time spent on this system compared with the distress caused to families.

We maintain that some difficult situations could have been ameliorated with more careful communication between the agencies involved. For example, one family had boarded a plane when confusion between different sections of the Home Office meant that they were incorrectly taken off. When this had been resolved the Captain refused to let them board for a second time. As a result this family with young children were in the holding room at the airport and on a coach for a total of 11 hours before arriving at the PDA.

In another case, a partner who had not been part of the family removal process planning was in residence when the arrest team arrived. He had to be dealt with separately and was therefore taken to another immigration removal centre. We understand from Home Office Immigration Enforcement that this is because the couple had said that they were estranged. However, we wonder whether the children would have benefited from the family being kept together or the arrest team being stood down.

3. Impact on equality and fairness

We question whether an equal and fair system can involve children overhearing their parents' distress, screaming and crying as use of force is employed to remove them from the centre.

We also remain 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.

For parents struggling to understand their situation, the use of a telephone translation system, such as Big Word, is often inadequate. During one very difficult removal, we observed Big Word being employed most ineffectually as use of force was used on a father who was resistant. While the lead member of the Tascor team was trying to explain what would happen, his attempts were pointless as the necessary mobile phone ended up on the floor. We maintain that this denied the parent concerned equal or fair access to necessary information. In another similar removal, the situation was improved by the use of an interpreter who had been booked in advance by the Home Office. The use of some G4S staff who can interpret for families is beneficial but on some occasions we have observed adult family members using their children to translate what has been said to them by staff.

We would like to see interpreters used for families and for families to consistently receive information in their own language while in the centre.

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

1. Use of Rule 40 or Rule 42

Two residents were placed on Rule 40 (removal from association) during 2018. There were three spontaneous uses of force. The IMB were informed about these and accept the reasons for their use, particularly when employed to ensure that children are not at risk from the actions of a parent.

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 2018, this process was appropriately used seven times.

ACCOMMODATION

1. Views of resident families

We have received many positive comments from families about the care and accommodation they experience during their stay at the PDA. This year, a few families have been distressed by the use of force on one or two of their family members and this has affected their views of the stay.

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. Staff have monitored carefully and taken appropriate safeguarding action where children are, for any reason, being encouraged not to eat by their parents.

4. IT facilities

Parents are able to send and receive faxes. They also have access to a computer and an adapted mobile phone. 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. The appointment of a new, dedicated member of the chaplaincy for the PDA has provided families with an extremely sympathetic and supportive extra adult with whom they can share their concerns. When requested, access to a minister of their own faith has also 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. This happened once during 2018. The two pregnant residents were monitored carefully during their stay at the PDA. We continue to maintain that pregnant women should not be 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. We have observed young children involved in imaginative play and older children supported in completing GCSE course work.

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. Staff have responded positively to IMB requests by creating a more age-appropriate environment in the reception area when older children are expected.

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, for the families it seems unreasonable that they should have been taken from their homes in the first place. We consider that the system as it stands militates against the children's sense of safety and security.

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 in individually packed travel bags.

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, overnight at the PDA, or at a neighbouring hotel. We are pleased that this year use has not been made of alternative Home Office accommodation.

Section C – Work of the 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 about the PDA, as observers, and witnessed arrivals and removals of families.

During 2018 the number of IMB Board members increased from six to nine. This number more than adequately enables the members to carry out their duties. Members have participated in the required New Members or Board Leaders courses, as well as having regular monthly training sessions before each Board meeting. Topics for these sessions have included: ACD/RT, serious incidents, religious affairs and legal advice. All members of the Board have completed on line safeguarding training.

Families tend not to make formal application to see the IMB as we try as far as possible to meet them whenever they are in residence. During 2018, IMB members made 17 visits to the PDA and held 12 Board meetings with PDA managers. The Board would like to thank our IMB Clerk for her 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	9
Total number of visits to the Establishment	29

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	0
B	Equality	0	0
D	Purposeful activity including education, work, training, library, regime, time out of cell	0	0
E 1	Letters, visits, phones	0	0
E 2	Finance including pay, private monies, spends	0	0
F	Food and kitchens	0	0
G	Health including physical, mental, social care	0	0
H 1	Property within this establishment	0	0
H 2	Property during transfer or in another establishment or location	0	0
J	Staff/detainee concerns including bullying	0	0
K	Immigration issues and transfers	0	1
	Total number of IMB applications	0	1