



Annual Report
of the
Independent Monitoring Board
at

Tinsley House
Immigration Removal Centre

for reporting Year
2018

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Monitoring fairness and respect for people in custody

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Sections 1 - 3

1 STATUTORY ROLE OF THE IMB

The Immigration and Asylum Act 1999 requires every Immigration Removal Centre (IRC) 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 held in detention within its establishment
- (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 well the establishment has met the standards and requirements placed on it and what impact these have on those in detention.

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

This report presents the findings of the Independent Monitoring Board at Tinsley House IRC for the period 1st January 2018 to 31st December 2018.

IMB evidence comes from the observations made on weekly duty rota and other visits, scrutiny of records and of data, informal contact with detainees and staff, surveys of detainees conducted by IMB and others and detainee applications to the IMB. During the year the IMB conducted its own surveys of the detainee population on such matters as their views on their personal safety, fairness and life at Tinsley House; detainee access to legal advice and representation; and the provision of purposeful activities including education and arts and crafts.

In April 2018 Her Majesty's Inspector of Prisons carried out an unannounced inspection of Tinsley House IRC (**' Report on an unannounced inspection of Tinsley House Immigration Removal Centre by HM Inspector of Prisons: April 2018'**) and the IMB has been mindful of its findings and the evidence base on which those findings were based.

Main judgements

Are detainees treated fairly?

From the evidence available to the IMB in 2018 we are of the view that, in the main, detainees are treated fairly at Tinsley House. As noted in this report, however, we remain concerned at two major issues that continue in our view to give rise to a degree of inequality and unfairness amongst the detainee population. These are the reduction of free association time for detainees which denies fair and equal access to worship for all concerned faiths, and the indeterminate length of time for which detainees can be held in immigration detention which results in inequalities and unfairness amongst all detainees in terms of the differential length of time for which they are detained.

Are detainees treated humanely?

Detainees are treated humanely within the centre and this is in part the product of good relationships between staff at all levels and detainees. One significant caveat that we have in respect of this judgement concerns the position of those detainees at Tinsley House who can be classified as Adults at Risk and who are particularly vulnerable, whether through mental illness or by risk of self-harm and suicide, and who might be presumed under current Home Office guidance to be wholly unsuitable for detention. IMB is concerned whether such vulnerable detainees at Tinsley House are always adequately protected by the Adults at Risk policy, whether as a matter of policy or of practice.

Are detainees prepared well for their release or removal?

Preparation for the release back into the community or removal from the UK of detainees at Tinsley House is of variable quality with some detainees being well prepared but some much less well. While the IMB appreciates that such preparation is organisationally difficult at an establishment such as Tinsley House we are of the view that effective means for detainees to communicate with friends and family wherever they are, and the provision of high quality and affordable legal advice, are both critical to ensuring that detainees are as well prepared as they can be. Both these issues are of concern to the IMB and both are addressed in this report.

Main Areas for Development

TO THE MINISTER

We ask the Minister to:

- consider the introduction of a statutory limit on the time spent in immigration detention of 28 days, subject to a right for the Home Office to apply to a Judge in exceptional circumstances to extend that limit by a further 28 days. Such a provision will bring to an end the inequality and unfairness currently experienced by detainees at Tinsley House in terms of the differential length of detention they currently serve which varies from a few days to over a year
- seek from the Ministry of Justice a reconsideration of the current 30 minute time limit on the availability of publicly funded legal advice and assistance to detainees under the Detention Duty Advice Scheme, so that there is sufficient time for the detainee to explain their case and for the adviser to collect the necessary details to take the case forward.

TO THE HOME OFFICE

We ask the Home Office to:

- develop a more transparent approach to the safeguarding of vulnerable detainees at Tinsley House and in particular as to how the Home Office Guidance on Adults at Risk is being understood and applied
- with Health Care to clarify the policy and process that underlie the use of Rule 35 reports at Tinsley House, including clarification on why such reports are or are not called for in specific cases of vulnerable detainees, and by whom they are initiated
- reconsider the reduction of free association time for detainees which we consider impacts unfairly on their well-being and access to religious worship, and to provide a justification for whatever lengths of restricted movement are considered necessary
- to complete the reconfiguration of the multi-faith room at Tinsley House and to monitor the extent to which the reconfigured religious spaces as a whole deliver equal opportunities to worship for detainees of all faiths
- monitor the performance of the newly contracted solicitors' practices in their delivery of legal advice and assistance to detainees in respect of their contracted obligations.
- ensure that the Tinsley House website contains all necessary information for those planning visits to detainees and to update that information as and when necessary

TO THE CONTRACTOR

We ask G4S to:

- trial the use of alternatives to Skype to enhance the opportunities for detainees to maintain contact with families, friends and the outside community
- consider alternative means beyond the two fax machines by which detainees can more easily transmit necessary papers to solicitors, legal advisers and others
- work with the catering provider to respond positively to detainees' views and take action to improve the quality of the food at Tinsley House
- provide a wider range of reading material in the library.

Improvements: Major outstanding issues from the 2017 report.

Recommendation 1

Lead: Home Office: Request a re-evaluation and justification of the need for the periods of restricted movement for detainees. We question the value of these in terms of safety, detainee well-being and access to religious worship.

Progress made

This matter has been under discussion throughout 2018. In December 2018 the Home Office published **DSO 04/2018 (Management and security of night state)** which part-addressed the periods of restricted movement of detainees but action to date has not yet been taken. Meanwhile the periods of restricted movement for detainees remain unaltered. See Section 5 below.

Recommendation 2

Lead: Home Office: Consider allowing the provision of Skype or similar facilities.

Progress made

This recommendation was accepted by the Home Office and the provision of Skype for detainees on a pilot basis was started on 26th September 2018. See Section 7.9 below.

Recommendation 3

Lead: G4S: Create equality of worship opportunities for detainees of all faiths.

Progress made

Discussions have taken place throughout the year and agreement was reached to renovate the existing multi-faith worship space at Tinsley House through the use of a partition in order to allow faiths other than Islam to worship separately. Work on a permanent partition has yet to commence. See Section 7.4 below.

Recommendation 4

Lead: G4S: Improve the range of education and leisure opportunities for all detainees.

Progress made

Improvements have been made in this area throughout the year as noted in the HMIP inspection report, and the range of educational and other opportunities has been considerably expanded. Teachers and officers are now more proactive in seeking out and responding to unmet need for particular activities amongst the detainee population. See Section 9 below.

Recommendation 5

Lead: G4S: Increase access to voluntary advice and support

Progress made

During the course of 2018 two voluntary support and advice organisations, the Gatwick Detainees Welfare Group, and the outreach project BID (Bail for Immigration Detainees), have become firmly established as providers of advice and support at Tinsley House. Both organisations now have a weekly presence at Tinsley House and play an additional and welcome supporting role to the Tinsley House Welfare Department. This department received a warm commendation by HMIP in their 2018 inspection report. See Section 4.3.4 below

Recommendation 6

Lead: G4S/Aramark: We ask the Catering Provider to take action to address the long-standing dissatisfaction with food at the centre.

Progress made

G4S and Aramark have made some progress in the latter part of the year in communicating with detainees through Tinsley Matters (the revamped monthly Detainee Consultative Meeting) and the Tinsley House Food Forum to attempt to secure continuing and clearer feedback in order to try to improve the quality of the food at Tinsley House. See Section 7.3 below.

Recommendation 7

Lead: G4S/Healthcare: We ask the Healthcare provider to build upon the positive steps already taken to improve, and hence be able to demonstrate raised detainee confidence, in healthcare provision and staff.

Progress made

There is evidence of significant progress made throughout 2018 by the Healthcare team and levels of detainee confidence in the Healthcare team are now significantly higher. See Section 8 below.

3 DESCRIPTION OF THE ESTABLISHMENT

Tinsley House is predominantly used to hold male detainees who are awaiting decisions on their immigration status and possible removal. It has capacity to hold 162 male detainees accommodated in two, four or six bedded rooms. A separate dedicated and comfortable suite (the Borders Accommodation) provides accommodation for one family group at a time who are usually in transit and due to fly within 24-48 hours.

Tinsley House is managed and operated under contract by G4S on behalf of the Home Office in accordance with the Detention Centre Rules (2001) and Operating Standards and Detention Service Orders. The Home Office Immigration Enforcement (HOIE) team maintain a permanent presence at Tinsley House and is responsible for ensuring that contractual requirements are met from its contractors and sub-contractors. G4S has operational responsibility which includes responsibility for the safety and welfare of the detainees and for the security of the establishment. A separate G4S subsidiary has responsibility for the provision of healthcare on behalf of NHS England. Aramark, sub-contracted by G4S, provides cleaning and all catering services. Mitie is sub-contracted by the Home Office to provide escort and transportation services. The work of the Tinsley House Welfare Department was supplemented during the year by the Samaritans, the Gatwick Detainee Welfare Group and by BID.

During the year G4S agreed with the Home Office an extension to its current contract at Tinsley House for a further two years and a new G4S director was appointed in September to oversee both elements of the Gatwick IRC estate, namely Brook House and Tinsley House. It is expected that longer- term contractual arrangements will be put in place over the coming year.

The numbers of detainees held at Tinsley House fluctuated considerably at the beginning of the year and have dropped dramatically since May, since when they have been consistently below half the establishment's capacity, with an all-time low of only 48 being held at the end of August. It is expected that these numbers will begin to rise once again from the beginning of 2019.

At the end of the year Albanian was the highest represented nationality, with Islam being the most common religion.

Sections 4 – 10: Evidence

4 SAFETY

4.1: Detainees' views

When surveyed by the IMB in the middle of the year 28 of the 30 detainees who took part in the survey (approximately 45% of the detainees then currently at Tinsley House) stated that they felt safe at Tinsley House and that relationships between detainees and G4S staff were positive. Comments made by detainees included:

'All the staff are professional and friendly'

'Everything is very good'

'Staff are very friendly and very good'

Two detainees expressed an alternative view and felt that there was a small minority of staff who did not always show respect for detainees.

These findings from our own relatively informal survey are partly at odds with the findings of a much more structured survey conducted amongst detainees by HMIP during their April inspection of Tinsley House. In that HMIP survey 42% of detainees said they felt unsafe and over a fifth said they had felt threatened or intimidated by a member of staff. This is more than at other Immigration Removal Centres. The reasons underlying these disturbing survey findings, as noted by HMIP, are apparently not well understood and it is the IMB's view that a possible forum for addressing these issues, namely the monthly Safer Community and Diversity meetings, is not being used as effectively as it might be. This is partly an organisational issue in that, although detainee orderlies can attend these particular meetings, they very rarely do so. While detainee engagement with some meetings at Tinsley House has improved (most notably in relation to Health and Tinsley Matters) there remains scope for a much greater engagement with the Safer Community and Diversity meetings in particular. The IMB believes that steps might be taken to make the Safer Community and Diversity meetings more attractive to detainees by, for example, having an agenda that focuses much less on quantitative data and much more on qualitative issues of concern to detainees such as perceptions of personal safety and what underlies them.

Overall however Tinsley House continued in 2018 to exhibit a generally positive atmosphere and the dramatic reduction in the number of detainees over the last year contributed to the establishment feeling calm, stable and relatively relaxed. The IMB believes from the evidence that Tinsley House remains fundamentally safe.

4.2: Violence and the Use of Force

Violence is not a feature of life at Tinsley House. In 2018 there were six recorded assaults by detainees on staff and two assaults by detainees on detainees. Other incidents of violence, including fights, threats and verbal abuse are similarly rare. There were no recorded assaults on visitors nor on HOIE staff in 2018.

The Use of Force, whether planned or spontaneous, by staff on detainees similarly remained low in 2018. With the exception of March, when there were six instances, April, when there were eight and November, when there were five, there were never more than two instances per month of the use of force. The evidence suggests that force is used only as a last resort and

then for legitimate reasons and when used is appropriately documented. Scrutiny is now assisted by the introduction in 2018 of body worn cameras by all staff and by the network of CCTV around the establishment.

This absence of any serious violence in whatever shape or form contributes significantly to the relatively calm culture at Tinsley House.

4.3: Safeguarding Vulnerable Detainees.

4.3.1: ACDTs

The duty of care owed by the managers of Tinsley House to detainees believed to be vulnerable by reason of risk of self-harm and suicide is largely carried out through the use of Assessment and Care in Detention and Teamwork (ACDTs). In 2018 staff opened 72 ACDTs, an average of 6 a month, a low number relative to the Tinsley House population as a whole. The IMB routinely monitors the quality of the ACDT paperwork at Tinsley House which throughout the year we have found to be comprehensive and clear and which regularly sets out in detail the detainee's mood at any particular point in time. ACDT case reviews are generally carried out appropriately and may include input from both the Home Office and Healthcare. By November nine new ACDT assessors, working across both Brook House and Tinsley House, had been trained bringing the total to thirty and the IMB welcomes the plan to increase the numbers to forty in the new-year.

4.3.2: Adults at Risk, Self-Harm and Rule 35 reports.

Since July 2018 a revised approach to safeguarding Adults at Risk in Immigration Detention was introduced by the Home Office as a response to the report by Stephen Shaw following his review of the welfare of vulnerable people in detention (**Home Office: Guidance on adults at risk in immigration detention. July 2018**). Under this guidance individuals will be regarded as being 'adults at risk' if there are indications that an individual is particularly vulnerable to harm if they are placed in detention or remain in detention. If on this basis an individual is considered to be an 'adult at risk', the initial presumption under the guidance is that that individual will not be detained. That presumption, however, can be outweighed by other 'immigration control factors'.

The number of ACDTs opened in 2018, the statistics on acts of self-harm, the number of detainees being put on constant observation because staff were concerned about imminent self-harm or suicide attempts, and numerous Rule 35 reports, collectively provide evidence that Tinsley House has amongst its detainee population at any particular time a number of detainees who are particularly vulnerable, although not all would necessarily be managed under the Adults at Risk process. That 2018 evidence includes 24 acts of self-harm by detainees (all of which it should be noted were responded to diligently and appropriately), with 31 detainees being put on constant observation because of a fear of imminent self-harm or suicide attempt. During the year there were 98 Rule 35 reports on the basis of which only 20 detainees were released, with detention being maintained in the remaining 78 cases.

Given that the aim of the new Home Office guidance is to 'lead to a reduction in the number of vulnerable people detained' and to 'ensure that vulnerable people are not detained inappropriately' it is difficult at present from a monitoring perspective to understand how the guidance is being understood and applied. Nor is it clear to the IMB that the policy, including the DSO on responsibilities for the management of Adults at Risk, is yet well established in the day-to-day practice of staff at Tinsley House. In the context of the above statistical evidence of

detainees at risk who were particularly vulnerable at Tinsley House during 2018 it was also not always clear when Rule 35 reports were called for, by whom they were initiated and whether they were always submitted when necessary.

During 2018 the IMB observed a number of detainees who appeared to be particularly vulnerable to harm in detention, including some whose mental health we felt to be negatively impacted by continuing detention. In January, one such detainee was detained whom the Home Office accepted was a victim of torture and who was recognised to be an adult at risk at level 2. He was repeatedly managed on ACDTs and was placed on constant supervision multiple times. He had persistent trouble sleeping, was found with a ligature, and in a handover report was described by G4S staff as 'shaking, communicating with voices and saying he will take his own life'. His case was reviewed regularly, including by senior managers, but detention was maintained due to his immigration history. At the end of the year, more than 11 months later, he remained in detention.

While the number of adults at risk at Tinsley House is low when compared with other IRCs every such detainee is of course of concern and the Board is calling for a more transparent approach to how those detainees who are vulnerable are to be appropriately safeguarded, and in particular to clarify how the new guidance on Adults at Risk is being applied. This approach should draw on the evidence of vulnerability and risk in each case; address the outcome of any Rule 35 report or why such a report was not called for; and articulate the reasoning behind the decision either to release a vulnerable detainee, or alternatively why continued detention is decided upon and what factors effectively outweighed the presumption of release as set out in the guidance. The IMB has raised the issue of how Rule 35 outcomes are reported to IMB by the Home Office in their monthly reports to us beyond simple categories of 'Detention Maintained' or 'Detainee Released', and a greater elaboration as suggested above would certainly make the task of monitoring this process a great deal more meaningful.

4.3.3: Drugs and Alcohol

There are no residential facilities at Tinsley House to address issues of known drug and alcohol abuse and identified detainees are transferred to other establishments. It is therefore perhaps not surprising that neither drug nor alcohol abuse is an issue at Tinsley House and that continued to be the case during 2018. Unusually there was one case of where a detainee arrived in possession of a small quantity of Spice but investigations revealed this to be an isolated instance and the detainee was transferred out of Tinsley House.

4.3.4: The Samaritans and other sources of voluntary support.

There is now information on notice boards at Tinsley House both as to the availability of the Samaritans and how to contact them by mobile phone should the need arise. The Gatwick Detainee Welfare Group and BID similarly maintain a presence at Tinsley House and provide both emotional, material and legal support to detainees. Additionally the Tinsley House Welfare Department with its team of accredited welfare officers is a constant source of information and we endorse HMIP's commendation that 'the level of support detainees received was impressive and welfare officers worked proactively to help them'. This has been particularly true over this past year, for example, in relation to the Welfare Department's active role in supporting detainees seeking access to legal advice and representation.

5. EQUALITY AND FAIRNESS

5.1 Length of time spent in Immigration Detention

Detainees at Tinsley House, in common with detainees at all Immigration Removal Centres in the UK, are currently detained without limit of time prior to their removal from the UK or release back into the community. While the majority of detainees in 2018 left the centre within 28 days others were held for considerably longer periods. During every month in 2018 there were detainees at Tinsley House who had been held for between two to six months. In all cases individual detainees did not know if their detention would last for a few days or months or even longer than a year. This indeterminate nature of detention is well documented as a key cause of distress and anxiety and leads unavoidably to a sense of inequality and unfairness amongst the total detainee population, with some detainees being detained for significantly longer periods than others. The IMB welcomes the current initiatives being taken in Parliament to propose the introduction of a statutory time limit on immigration detention which in our view would remove not only a significant source of anxiety and distress but also a major source of inequality and unfairness amongst detainees.

5.2: Free Association.

Association times are the times during which detainees have free access to facilities within the centre. Outside of association times detainees are locked within corridors and are free only to access their rooms, the corridors and the toilet and shower facilities.

The association times prior to the refurbishment (2016-2017) were from 06.00-23.00. After the refurbishment association time was significantly reduced to 08.00-21.00, i.e. detainees are locked into corridors for 11 hours compared to 7 hours prior to the refurbishment.

We have been concerned with this significant reduction in freedom and we raised this in our previous report. We reported in 2017 that one of the key impacts of the reduction in association time that we have observed has been on Muslim prayer times. Muslim detainees, who invariably represent proportionately the largest faith group, have raised repeatedly that they are now unable to access the multi-faith room for their late night or early morning prayers and have to pray in their rooms and in the corridors. Non-Muslim detainees, in turn, find this disruptive.

Detainees have also repeatedly questioned why it is necessary to wake them up during the morning roll count. G4S have circulated reminders to staff to be quiet and courteous during the morning roll count but detainees have continued to raise the issue. The centre management informed the IMB that waking detainees up is required to ensure that the detainees are in good health. Whilst we agree that the health of detainees is of utmost importance we remain of the opinion that waking detainees up in the morning is a disproportionate interference with detainees' privacy and natural sleeping patterns, particularly as we are aware that many detainees have trouble sleeping and may not fall asleep until the early hours of the morning.

Overall we remain of the opinion that the reduction of association time has been a retrograde step which is disproportionate with the need to maintain a safe and secure environment. To date we have not received a satisfactory justification for this from the Home Office. It denies fair and equal access to worship for all concerned faiths.

5.3: Access to affordable and high quality legal advice

Detainees at Tinsley House when they are first detained are entitled to 30 minutes of free legal advice under the publicly funded Detention Duty Advice Scheme, one outcome of which

will be a determination as to whether the detainee is entitled to continuing advice and assistance under the publicly funded legal aid scheme. This is a critical decision for detainees as a refusal of legal aid to pursue a bail application or a challenge to their detention will mean either that those rights are not pursued at all or that a solicitor will have to be instructed privately. In a survey of detainees conducted by the IMB in 2018 payment being made to solicitors' practices for this private work ranged between £450 and £5,000 for cases which clearly had a significant time, and therefore cost, still to run. For some detainees such costs are clearly beyond their means. The immigration background of many detainees are complex; a significant proportion of detainees are vulnerable and have protected characteristics; accessing supportive and financial documents while in detention is difficult and many of the interviews have to be conducted through an interpreter. It is our view that a cap of 30 minutes on this critical first interview is unfair and unreasonable and results in this initial funded interview being an inadequate means by which to determine whether or not detainees are likely to be able to pursue their rights to challenge their detention and likely removal from the UK.

6. SEGREGATION/CARE AND SEPARATION UNIT

6.1: Use of Rule 40

The statistics show that Rule 40 (Removal from Association) is rarely used at Tinsley House. Over the year as a whole there were sixteen instances of the use of Rule 40, thus averaging slightly less than one and a half per month. Over the last seven months of the year there were only three instances of the use of Rule 40 and the statistics for the year are distorted by the use of Rule 40 on six occasions in one month (April) and on three occasions in each of two other months (February and March). In each of the remaining eight months Rule 40 was used either not at all or on one occasion only. The reasons for the resort to the use of Rule 40 were varied and in addition to disruptive behaviour included isolation for medical reasons, protesting in the courtyard, self-harming, and in respect of a detainee who claimed he would be escaping from the establishment. IMB welcomed the change during the year that detainees who were to be isolated for medical reasons no longer needed to be put on Rule 40. Detainees who were subject to Rule 40 were removed from association generally for relatively short periods of time and were seen routinely by the IMB and the paperwork was scrutinised. The IMB is unaware of any evidence that might suggest that Rule 40 is used inappropriately.

6.2: Use of Rule 42

There was no use of Rule 42 (Temporary Confinement) at all during 2018 at Tinsley House.

7. ACCOMMODATION (including communication)

7.1: Rooms and Bedding

Our survey feedback from 30 detainees in the middle of 2018 was frequently positive about the general accommodation conditions at Tinsley House, often comparing them favourably with other establishments known to some detainees. One issue that arose during the year concerned complaints from detainees over the condition of mattresses, bedding and pillows, some of which were subsequently changed and which led to a wider audit being undertaken across the establishment in November. IMB understands that 80% of mattresses have now been replaced. The Board is disappointed that when detainees are ill and have to be isolated the practice of detainees having to make up their own bedding is still adhered to.

7.2: Cultural Kitchen

The cultural kitchen was introduced to Tinsley House following the 2017 refurbishment of the establishment and was welcomed in our annual report last year. Detainees register in advance for a time slot and request ingredients which are supplied by staff. When this facility is used it is clearly a significant enhancement of the facilities at Tinsley House and greatly welcomed by detainees. The statistics suggest however that the kitchen was noticeably under-utilised in 2018 and there were significant delays in authorising its use following applications by detainees. These delays were raised by detainees at the September Tinsley Matters meeting and this led to staff modifying the process of authorisation. A specific staff member has now been assigned to take responsibility for authorising use of the cultural kitchen and the process has now been simplified by using a list of standard ingredients on the application form. While this new process has only recently been introduced the centre manager has encouragingly reported that use of the cultural kitchen has already increased. IMB will continue to monitor the effectiveness of the new authorisation process.

7.3: Catering and Food

In our report last year we asked G4S and the Catering Provider to address the longstanding dissatisfaction with the food at Tinsley House. Progress has been made in the latter part of 2018 in communicating more effectively with detainees through the Tinsley Matters and Food Forum meetings. These have been better advertised and made more accessible to detainees resulting in significantly better attendance in the second half of the year. In September, 20 detainees protested by refusing food for two days but resumed eating after they felt that they had been heard at the September Food Forum. At the October meeting 27 detainees attended which far exceeded any previous numbers. G4S believe that Aramark has made some positive changes in the light of detainees' expressed dissatisfaction, so that menu changes have been made to better reflect current nationalities at the centre at any particular time. So, for example, if there is a higher percentage of Chinese nationals present, a traditional Chinese dish will be added to the menu. Similarly there is now a selection of different breads in the shop and pasta features on the menu more often. It remains the view of the IMB, however, that complaints from detainees concerning the quality of the food itself are still not being effectively listened to and recognised at these Food Forum meetings, and we have seen no evidence that detainees themselves feel that the food is now of any higher quality.

7.4: Faith Facilities

In our report last year we asked G4S to create equality of worship opportunities for all detainees following the loss of some multi-faith provision in the refurbishment of Tinsley House in 2017 and which was the subject of a petition from detainees in late 2017. During 2018 this issue has been the subject of ongoing discussions within G4S and the Home Office when it became clear that the issue was unlikely to be resolved simply by better coordination within the Religious Team. By the middle of 2018 it was resolved to address the issue by installing permanent concertina divider walls allowing the present multi-faith space to be used either as a single space at times of busy worship or as two rooms for different faiths at quieter times. This solution has the support of the Religious Team. However the permanent dividers are still yet to be installed as there has been no agreement on the overall costings although it is understood that a decision is now imminent. Meanwhile temporary divider screens remain in place. As with other areas of life at Tinsley House this issue of equality of worship opportunities is currently comparatively dormant because of the low numbers of detainees but is perhaps unlikely to remain so when numbers rise again. The IMB will monitor this situation and in particular the extent to which the entire faith space at Tinsley House delivers those equal opportunities to detainees of all faiths.

7.5: Library and IT issues.

The library at Tinsley House is a calm, well-ordered and pleasant space for detainees. The shortage however of available and appropriate books provided has been raised in 2018 with the IMB and was raised by detainees at both the September and November Tinsley Matters meetings. We understand that a list of additional books had been ordered by the end of November and we will await the response by detainees to this measure. Meanwhile, and bearing in mind the likely growth in detainee numbers over the coming year, we ask G4S to consider whether there are other means by means of which library requests by detainees can best be met.

7.6: Complaints

Unless detainees indicate that they do not want their formal complaints to be shared, the protocol at Tinsley House requires that complaints that relate specifically to Tinsley House, with translations, should be copied into IMB, together with the responses to those complaints. This did not happen consistently during 2018.

Statistics to which IMB had access for the January to April period of 2018 suggest that Tinsley House receives few complaints but, during that period, of those complaints that were submitted few were responded to within the target time and they were overwhelmingly found to be unsubstantiated. IMB followed up proactively on 10 complaints of which we were made aware between September and December 2018. During this period complaints were generally answered within the time scales from the moment of allocation although allocation itself was sometimes delayed. We noted that detainees were most likely to have left the centre by the time the response was served.

We ask the Home Office to ensure that IMB receives copies of all complaints and their responses on a consistent basis.

7.7: Reception

During 2018 IMB observed Reception Staff making real efforts to put detainees at ease and to facilitate their needs, for example by ensuring that they had something to eat and

drink and had access to a prayer mat whilst waiting in Reception. We have however observed on occasions that perhaps too little is done, and too little time taken, to ensure that detainees clearly understand what was happening to them and why. In May we noted that there was no written compact issued to detainees at Reception to inform those detained about their rights at Tinsley House. By October we were pleased to see that the compact was made available in Reception in a range of languages.

Initial interviews observed by IMB were not always conducted in private and there are question marks over the capacity of the screening process always to clearly identify a detainee's needs. We remain concerned that many detainees continue to be transferred to the centre at night, with some detainees leaving or arriving most days between midnight and unlock roll counts.

7.8: Visits

We welcome the change of policy following the HMIP Inspection in 2018 that now enables visitors and detainees to sit next to each other. Given the logistical challenge for visitors of getting to Tinsley House we would ask the Home Office to ensure that all information for visitors on their website is correct and up to date. This was raised by the IMB in August but some parts of the website continue to show incorrect information for visitors.

7.9: Communication

Detainee engagement at Tinsley House continues to be challenging, a fact which, given the nature and purpose of the establishment and its transient population, IMB acknowledges. The primary tool for such engagement is now the Tinsley Matters monthly meeting set up in its present form during 2018. IMB regard this initiative as extremely welcome and there is evidence to show that detainee engagement through these meetings has substantially increased. Attended by senior centre managers the agenda for meetings is appropriately detainee-focused and includes, for example, facilities, bedrooms, visits, healthcare and IT facilities. The IMB has welcomed the centre managers' commitment to improving the Tinsley Matters monthly meeting which the board has continued to promote throughout 2018. Detainees are also encouraged to attend some other meetings at Tinsley House and reference has been made earlier in this report to the monthly Safer Community and Diversity meetings (Section 4 above) where detainee attendance is very poor indeed. Lessons might perhaps be learned from the Tinsley Matters meetings as to how to secure greater detainee involvement, particularly in relation to putting together a detainee-friendly agenda with which detainees might be able to identify.

The provision of Skype for detainees was introduced at Tinsley House on a trial basis in September 2018 following our request in last year's report to the Home Office for Skype or similar facilities at Tinsley House to be introduced for detainees. Take-up by detainees, however, has been significantly lower than expected. Feedback has been requested by G4S at the Tinsley Matters meetings where detainees have variously suggested that Skype is outdated, and that WhatsApp, Facetime and Messenger are preferred. One detainee suggested that the phone is a better form of communication with his mother in another country who would not know how to use Skype even if she had access to it. Perhaps more worrying was the feedback that detainees believe that being seen via Skype conveys to the other party that the detainee is in detention or even prison, a fact that the detainee does not always wish to be known. One IMB member trialled the use of Skype at Tinsley House and received the same observation from the Skype correspondent. The G4S IT department has confirmed the use of alternatives to Skype, such as WhatsApp, are achievable but require further work. The IMB asks G4S to pursue how best these alternatives to Skype can be introduced for detainees at Tinsley House.

In last year's annual report we expressed our concern at the levels of frustration experienced by detainees over the use of the centre's two fax machines. These fax machines are the only means by which detainees can transmit sometimes large amounts of paperwork to external parties such as solicitors and other legal advisers and such was the demand that long queues and delays were experienced in getting access to them. Complaints were received by the IMB at the start of 2018 and detainees queried why scan-to-email facilities were not available. IMB raised this with G4S who reported that they had been advised that such facilities were not feasible due to the inherent insecurity of email accounts but that alternative options would be looked at. The IMB takes issue with this G4S response but as yet we have heard no more concerning any alternative options. We ask G4S to explore all alternatives to the detainees' dependence on two overused fax machines.

7.10: Borders Accommodation.

The Border suite at Tinsley House is designed to accommodate families who are detained at the border awaiting a return flight which will generally be booked for the following day.

6 families were accommodated in 2018. The majority of these stayed for less than 12 hours and all departed peaceably. Parents were grateful for the comfort offered by the family accommodation and for the opportunity for their children to rest and play.

The IMB were pleased to see that, if necessary, families could receive visitors when the rest of Tinsley House were restricted to their corridors for roll count.

Families accommodated in the Borders accommodation were seen promptly by Healthcare personnel. Those who had concerns about their own, or their children's, health appreciated the care shown by health and welfare staff.

Families who wished to were able to use the multi-faith room. When time allowed families also requested a visit from a member of their own faith from among the chaplaincy, which they found very reassuring.

8 HEALTHCARE (including mental health and social care)

8.1: Healthcare provision

NHS England continues to commission G4S Health to provide the healthcare provision for all detainees across the Gatwick estate with support for mental health issues subcontracted to Elysium Healthcare.

8.2: Healthcare issues

During 2018 there have been welcome improvements in the feedback received from detainees on their experience of Healthcare at Tinsley House. The level of engagement with detainees has been significantly raised with a monthly Patient Forum now in place. Those Forums observed by IMB members have been well attended by clinical staff and detainees. There has been a commendable level of willingness by detainees to share their experience of Healthcare and in turn staff were observed to be open to feedback and to learn from the valuable insights offered. Examples of issues raised and constructively discussed include accessing Healthcare appointments, hygiene standards in shared rooms, prescribing of paracetamol and access to dental services.

Further feedback on detainees' experience of Healthcare at Tinsley House came via the NHS '15 Step Challenge', an exercise which saw senior managers from outside the establishment walk with detainees and on-site staff from within Healthcare along the actual physical route a detainee would take on arrival at the establishment. This exercise was observed by an IMB member. Some six detainees began the 'journey' with two staying throughout. Feedback from individuals who recounted their own experiences and encounters with Healthcare was in general very positive. Questions to detainees on the level of support they received around low mood and anxiety led to one detainee commenting that at Tinsley House he missed the organised 'coffee and chat' sessions that had been available at another centre he had stayed at. It was immediately established that similar sessions had once been available at Tinsley House but had ceased after a time. It was pleasing to see that as a direct result of this exercise these sessions were promptly reinstated. On visiting the room where counselling and therapy sessions are offered managers noted that the room was quite sterile in appearance and wondered whether art work or more soft furnishings might be introduced. Detainees however expressed the view they welcomed the simplicity of the setting and the fact that there were no distractions in the room and it was therefore immediately agreed that there would be no changes made. It was encouraging to see the positive response to detainees' input and the active listening that characterised this exercise.

At a strategic level it has been promising to see project plans being developed by G4S Healthcare to move the approach to providing healthcare within Tinsley House from an institutionalised model to one more commonly experienced in the community. This new model would see a more detainee (patient) centred focus being adopted with an increasing emphasis on wellbeing and prevention. Steps towards this new way of working have already been taken with Healthcare staff this year routinely outreaching into the population at Tinsley House to invite detainees in for a chat, to offer weight checks, blood pressure monitoring and general advice on any concerns detainees might have. On one duty visit IMB noted that by 10am Healthcare staff had already invited four detainees in for these impromptu consultations which had resulted in three detainees signing up for smoking cessation advice.

Healthcare had been one of our major concerns at Tinsley House during 2017 with 40% of IMB applications related to Healthcare. During 2018 this has fallen to 12%.

It would appear that the steps taken by the Practice Manager and Healthcare staff at Tinsley House to commit to an improved engagement, to listen more effectively and to implement change where required continues at this point to signal positive change. Whilst this does not mean that individual detainees may always have a positive experience of the service there does appear to be an increased confidence from detainees that they can talk openly about any difficulties they encounter immediately they occur and that an explanation will be sought and where possible a remedy identified. We welcome the commitment to continuous improvement articulated by Healthcare staff and we will continue to monitor the position closely.

8.3: Healthcare improvements.

We found the '15 Step Challenge' to be a valuable process and would welcome it being used as a learning exercise on a regular basis.

Last year's annual report sought improved channels of communication between the IMB and Healthcare and in 2018 progress has been made. Following our invitation last year we have both valued and benefited from the presence of Healthcare staff at our monthly board meetings.

We know that Healthcare staff have found in the periods when detainee numbers have been comparatively low at Tinsley House that they have been able to forge fuller relationships with detainees and they have reported to IMB members that during these periods 'it has been good to get to know individuals' and that 'we have had more time to just chat'. Detainees too have spoken positively about their experience with Healthcare within these periods of low numbers in detention at Tinsley House and at such times during 2018 no significant healthcare issues of concern have been brought to the attention of the IMB. It is of course the case, however, that once the numbers of detainees at Tinsley House increase once again then there may very well be an adverse impact on service levels and on the quality of detainees' experience. The IMB will continue to monitor this closely.

Prompt access to and appropriate levels of healthcare intervention are key to supporting vulnerable detainees and in the coming year the IMB will have an increased focus on how these individuals are supported whilst in residence at Tinsley House. We welcomed the Rule 35 training which was made available for clinicians at Tinsley House in 2018 and we will continue to seek reassurance that staff feel competent and confident in their work with vulnerable detainees and that the systems to enable detainees to access specialist support, in particular in relation to mental health, are in place and working effectively.

9. EDUCATION AND OTHER ACTIVITIES

9.1: Education

During 2018 the provision of education has been expanded at Tinsley House and the centre has recruited an extra member of staff, giving a complement of one full-time and two part-time tutors. In response to IMB comments, detainees are provided with opportunities to further develop their skills in mathematics, information and communication technology, baking, food hygiene and arts and crafts including sewing and t-shirt printing. Detainees are now assisted in evidencing their learning through the production of a mini-portfolio of achievement, which it is hoped will assist them following their release back into the community or their removal from the UK. The centre holds small scale competitions ranging, for example, from the best t-shirt printing design to the best baked cake.

9.2: Other activities

During 2018 Tinsley House similarly expanded its social, recreational sporting, and physical activities for detainees. Mini sports competitions are now held in a variety of sports and detainees greatly enjoy the organised cricket matches. Large scale external sports events including, for example, the 2018 Football World Cup, are now shown on big screens. Ongoing work to introduce Music in Detention into Tinsley House finally came to fruition by the end of the year and discussions began with Brighton Table Tennis to introduce both equipment and sessions at Tinsley House with the possibility of a process of accreditation for detainees and wider educational games as part of the package. The IMB welcomes all these initiatives and looks forward to continuing attempts to widen the opportunities available to detainees. In a very small scale survey of detainees conducted by IMB in the middle of the year the activities provided at Tinsley House were consistently rated very highly as were the class-room staff.

IMB also welcomed the introduction in the second half of 2018 of a monthly statistical analysis undertaken by G4S of detainee involvement in education and other activities. These statistics are beginning to suggest that there are certain national groupings within Tinsley House which are conspicuous by their absence from any involvement in the educational and other activities currently offered. IMB believes it is now important to use these statistical analyses to begin to understand why such groups appear to exclude themselves from these activities and to better understand what is perhaps needed in terms of alternative provision to ensure their inclusion. We welcome the early attempts within the centre to begin to undertake this work and the proactive work undertaken by staff amongst detainees.

10. PREPARATION FOR RELEASE OR REMOVAL

Preparation for removal or release at Tinsley House has two principal aspects, namely the quality and frequency of contact with friends and families, and secondly detainees' access to good quality and affordable legal advice and assistance both to ensure appropriate challenges to continuing detention and to be kept fully informed of legal developments up to the time of their release or removal from the UK.

10.1: Family contact and Visits

The welfare of detainees at Tinsley House in respect of their ability to maintain contact with their families and friends prior to release or removal is supported largely by the Welfare Department and by twice weekly visits by representatives of the Gatwick Detainee Welfare Group. The Welfare Department is routinely spoken of highly by the detainees in assisting them with arranging visits. The establishment provides a free phone call on arrival and £5 in credit for detainees' mobile phones. Where a detainee is not allowed to keep his own mobile because it has a camera or recording equipment then one is provided for him. During 2018 the regime of no physical contact between family members and detainees in the Visits Hall was significantly relaxed following some critical findings of HMIP in April, a development that was welcomed by the IMB.

10.2: Access to good quality and affordable legal advice and assistance.

The IMB conducted an informal survey of 31 detainees at Tinsley House in July and August 2018 in relation to their access to legal advice and assistance. These detainees at that time accounted for approximately half the detainee population at Tinsley House. A majority (26 out of 31) told us that they had been informed of their right to legal advice when they first arrived at Tinsley House and were asked whether they had a solicitor acting for them. Of those who did not have an existing solicitor 17 arranged to see a solicitor under the Detention Duty Advice Scheme at Tinsley House through an appointment made by the Welfare Department. The remaining 14 either had a solicitor already, were arranging an appointment through friends outside, or for whatever reason did not want a solicitor at all, sometimes because they wanted to leave the UK and therefore did not want to waste money.

For a number of years twice weekly surgeries have been run at Tinsley House by two firms of solicitors who specialised in Immigration Law and who offered their services under the legal aid scheme where detainees qualified in terms of both the merits and the means test. In 2018 the decision was taken to open up this market to other providers who could show they employed a senior specialist caseworker, as a consequence of which there will be a pool of 40 solicitors firms offering legal advice and assistance on a weekly rota basis in 2019 at Tinsley House. The large majority of these firms will be new to working at Immigration Removal Centres generally, and Tinsley House in particular, and given the dispersal of contracts to 40 firms each firm will only appear once or twice per year on the rota.

Given the highly specialist nature and complexity of this work and the need for a consistent level of expertise we urge the Home Office to monitor closely the operation of these new contracts with these new providers in order to detect and address any concerns or problems that might arise.

Section 11: Work of the Board

During 2018 IMB members made weekly unannounced visits to Tinsley House to carry out their formal monitoring duties. Additionally members attended meetings as observers throughout the year and attended the twelve monthly IMB meetings with Home Office and G4S staff.

During the 2018 year the number of IMB members increased from six to nine which, while still below the recommended complement of twelve, is sufficient for us to carry out our statutory responsibilities. In 2018 the Board introduced regular training sessions before each monthly meeting and topics for these sessions have included training on ACDTs, serious incidents, religious affairs and the provision of legal advice and assistance. All members of the Board have successfully completed on-line safeguarding training. Members have also undertaken the required New Members and Board Leaders courses as appropriate. The statistics for detainee applications submitted to the IMB and addressed by members are set out below.

BOARD STATISTICS	
Recommended Complement of Board Members	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 Rota Visits to the Establishment	59

A Section 12: Applications to the IMB

Code	Subject	Current reporting year	Previous reporting year
A	Accommodation including laundry, clothing, ablutions	0	0
B	Discipline including adjudications, IEP, sanctions	n/a	n/a
C	Equality	1	1
D	Purposeful Activity including education, work, training, library, regime, time out of cell	1	0
E 1	Letters, visits, phones, public protection restrictions	2	0
E 2	Finance including pay, private monies, spends	0	0
F	Food and kitchens	3	2
G	Health including physical, mental, social care	18	5
H 1	Property within this establishment	0	3
H 2	Property during transfer or in another establishment or location	0	0
H 3	Canteen, facility list, catalogue(s)	n/a	n/a
I	Sentence management including HDC, ROTL, parole, release dates, re-categorisation	n/a	n/a
J	Staff/prisoner concerns including bullying	3	4
K	Immigration issues and transfers	21	25
	Total number of IMB applications	49	40