



**Annual Report**  
of the  
**Independent Monitoring Board**  
at the

**Gatwick Pre-departure  
Accommodation**

for reporting Year  
2019

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*Monitoring fairness and respect for people in custody*

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## A Sections 1 - 3

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### 1 STATUTORY ROLE OF THE IMB

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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 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 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

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This report presents the findings of the Independent Monitoring Board at Gatwick Pre-Departure Accommodation (PDA) for the period 1 January to 31 December 2019.

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**

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#### **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.

#### **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**

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#### **TO THE MINISTER**

We again ask the minister to commission a full review of the effectiveness of the family removals process as it involves the PDA.

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 consider again arrangements for families to have access to services other than Big Word to aid them in interpreting what is happening to them whilst detained. This is particularly necessary for each planned removal where either parent requires an interpreter and is likely to be in distress.

We appreciate that the review into the use of hand held translation devices is still ongoing but would urge this to be concluded as soon as possible.

#### **TO THE CONTRACTOR**

We ask the contractor PDA managers to continue to ensure that, where a removal is likely to be traumatic, careful planning is consistently used to avoid children being exposed to their parents' distress.

## **Major outstanding issues from previous reports**

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Last year as in 2017, we asked the Minister to consider the establishment of a system of monitoring the arrest and transfer of families. The response was again that there is already sufficient monitoring through the family returns processes and by HMIP. While HMIP are independent, their 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.

The Home Office commissioned a review of safeguarding within the PDA which was undertaken by the Office of the Children's Champion. It took place between November 2018 and August 2019 and was reported in the 'Review of safeguarding practices at Gatwick pre-departure accommodation' (Office of the Children's Champion 2019). We note that the reviewers, having considered the issues surrounding arrest and transfer of families for themselves, stated that they 'believe further consideration should be given to the IMB's recommendation in its annual report (2018) that an independent process for monitoring the arrest and transfer of families to and from Gatwick is established'

We again 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: only two families from fifteen who were detained in 2019 were actually removed. This was again an area touched on within the Review by the Office of the Children's Champion who in observations similar to that of the IMB commented 'the safeguarding value in sending families to Gatwick PDA immediately prior to departure from the UK remains debatable. The high rate of failed removals .... raises the question of whether sending a family to Gatwick PDA risks prolonging or even adding to the trauma already experienced'. We now draw the minister's attention to this point.

We have noted that whilst the Borders suite at Tinsley House has been used regularly throughout the year the PDA itself has experienced long periods of single or at times no occupancy at all. For the months of August, September, October and December there were no families utilising the facilities.

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. Whilst we are aware that there has been no shift in policy in respect of this we have noted that there have been no pregnant women admitted into the PDA this year and have been reassured that the Family Returns Unit continues to see the use of the PDA as a last resort and that any use of this accommodation is reviewed and agreed by the Independent Family Returns Panel.

The IMB recommendation relating to the consistent availability of interpreting was accepted by the Home Office. However at the time of writing this report a review into the use of handheld translation devices is still ongoing and information on their possible use within the PDA is still awaited.

Without alternatives at this time Big Word continues to be used to interpret what is said to family members, with any papers served on families also being read out so that these too can be translated by a Big Word interpreter.

The IMB is aware that an outcome from the HMIP recommendation (2018) saw the welcome packs available to families on arrival being translated into six new languages. These languages were identified following a review of the languages most commonly spoken by the families using the PDA in the previous year which was a positive development.

### 3 DESCRIPTION OF THE ESTABLISHMENT

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As part of the immigration detention 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 PDA 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, welfare 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.

The PDA continues to face challenges in recruiting a suitably qualified social worker post, a vacancy which has continued throughout 2019 despite ongoing recruitment drives. We understand a further round of recruitment will be opened up in 2020.

A company commissioned by the Home Office carries out the transfer of families from the PDA to an airport. This contract was taken on by MITIE in May 2018.

During 2019, the PDA accommodated 15 families, made up of 18 adults and 24 children. Of these, only two families were removed and thirteen released. We note that families subject to a third country removal continue to be particularly resistant to being removed, concerned as to the levels of deprivation they will be exposed to on their return.

## **B. Evidence sections 4 – 11**

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### **4 SAFETY**

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#### **1. Physical Safety**

PDA residents are held safely within the provision. The PDA rooms and suites are separated from Tinsley House by secured doors. All staff demonstrate a commitment to ensuring the safety and well-being of the families. A recent event which saw a father hide a glass in a bathroom which he later used to self-harm resulted in a lessons learned session between the Home Office and the contractor. At present the decision has been taken to continue to have glasses still available for families' use whilst in residence but with revised guidance to staff monitoring activity within the PDA. We consider this to be a reasonable course of action.

#### **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 appropriately learnt for future application.

The IMB notes that its findings in relation to the PDA are broadly reflected in the review by the Office of the Children's Champion who concluded that their 'overall sense during the review was that Gatwick PDA partners are working well together to achieve their common objectives of conducting safe returns while ensuring that families are treated fairly, humanely and with dignity during their stay at the facility'.

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 2018 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 the welfare manager continues to rigorously pursue necessary feedback.

## **5 EQUALITY AND FAIRNESS**

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### **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 in particular in one release scenario where a mother and two children were being taken back to accommodation in London. There was an extremely high level of engagement by staff with the children who were energetic and lively whilst their mother who was the only parent present was being supported with practical information and pastoral support through the Chaplaincy. At all times it was evident that the practical and emotional needs of the family were under active consideration. Staff had needed to actively respond to the needs of the children during the period of their detention, sensitive to the changing mood of their mother which in the early stages of detention had been extremely low.

We have observed robust partnership working between managers of the PDA and West Sussex Social Services with two instances where minors being held in the PDA have needed to be taken into the care of the Local Authority. Managers of the PDA have shared the learning from their work in liaising with outside agencies and clearly demonstrate how they continue to build on these experiences.

Whilst no specific issues were raised in 2019 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 fifteen 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.

In one particularly challenging scenario this year the father of a three year old cut his own wrist with a broken glass. He did this in the presence of his wife who was undoubtedly significantly affected and distressed by this. Fortunately this took place out of sight of their child who was kept occupied by staff during this episode and during their father's subsequent treatment at hospital prior to their release. If the child had been present then the effect this may have had on them is inestimable.

### **3. Impact on equality and fairness**

We question whether an equal and fair system can involve children who, despite the best efforts of staff, witness or overhear their parents' distress.

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.

We recognise the challenges posed but continue to believe that it would be most beneficial to see interpreters used for families and in addition for families to consistently receive information in their own language while in the centre.

We would welcome the conclusion of the review into hand held translation devices which we believe would improve the current position.

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

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### **1. Use of Rule 40 or Rule 42**

No residents were subject to Rule 40 (removal from association) during 2019. There was one spontaneous use of force. The IMB were informed about this and accept the reasons for its 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 2019 4 ACRTs were put in place. The IMB was satisfied that this process was appropriately used.

## **ACCOMMODATION**

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### **1. Views of resident families**

Families are positive about the care and accommodation they experience during their stay at the PDA. We have noted that families who have been very reluctant and unwilling to engage at the point of arrival have quickly been reassured once they have viewed the accommodation and in particular seen the resources available for the children to engage with.

### **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 has on the resident families.

### **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. A 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)

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### **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 twice during 2019. On both occasions the response by staff was both effective and efficient.

## **9. EDUCATION AND OTHER ACTIVITIES**

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### **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 appropriately involved in imaginative play.

### **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.

### **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. Hibiscus also work with families who are released back to a UK address by signposting them to some of their community support programmes.

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. The IMB has observed the absolute delight with which these packs are received, a seemingly small operational detail with significant impact.

### **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.

# Section C – Work of the Board

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## **WORK OF THE INDEPENDENT MONITORING BOARD**

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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, spoken with families in residence and witnessed the release of families.

During 2019 the number of IMB Board members decreased from nine to five, with a number of sabbaticals and one resignation affecting overall numbers. However a successful recruitment exercise in 2019 led to the recommended appointment of three new members who will hopefully join the Board in 2020. The Board continues to benefit from monthly training sessions before each Board meeting. Topics for these sessions have included: The application of Rule 35, family returns processes, adults at risk procedures and access to 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 2019 the IMB 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.

<b>BOARD STATISTICS</b>	
Recommended Complement of Board Members Tinsley House and the PDA	12
Number of Board members at the start of the reporting period	9
Number of Board members at the end of the reporting period	5

## Section – Applications (Requests to see the IMB)

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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	0
	<b>Total number of IMB applications</b>	0	0