



Annual Report

**Morton Hall
Immigration Removal Centre**

1 January - 31 December 2019

Published June 2020

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A: INTRODUCTION

1. STATUTORY ROLE OF THE IMB

The Prisons Act 1952 and the Immigration Asylum Act 1999 require every establishment and immigration removal centre (IRC) to be monitored by an Independent Monitoring Board (IMB), appointed by the Secretary of State from members of the community in which the establishment is located.

The Board is specifically charged to:

- (i) satisfy itself as to the humane and just treatment of those held in custody within its establishment, and the range and adequacy of the programmes preparing them for release
- (ii) inform the Secretary of State, or any official to whom he has designated authority as it judges appropriate, any concerns it has
- (iii) report annually to the Secretary of State on how well the establishment has met standards and requirements placed on it and what impact these have on those in custody.

To enable the Board to carry out these duties effectively, its members have right of access to every detainee and every part of the establishment, and also to the establishment's records. Board members are appointed by the Home Office. They are unpaid and independent of both Her Majesty's Prison and Probation Service (HMPPS) and the Home Office. Board members are the only independent presence in the centre on a frequent basis.

2. EXECUTIVE SUMMARY

INTRODUCTION

This report presents the findings of the Board at Morton Hall for the period between 1 January 2019 and 31 December 2019.

The evidence has been collated from observations made and recorded during monitoring visits to the centre (93 during 2019), a scrutiny of available documents and data, frequent conversations with detainees, formal and informal meetings with senior staff, and applications submitted by detainees.

The operational capacity of Morton Hall is 392 detainees. In earlier years, the centre operated nearly at full capacity, with consequences for the regime of the centre. An agreement is in place with the Home Office to operate to no more than 80% of the operational capacity, in order to support and enhance safety and violence reduction. In keeping with other IRCs, the roll fell significantly during 2018 and remained at a lower level – the average centre population in 2019 was 247 (293 in 2018). This has had a beneficial effect on the stability of and conditions in the centre.

MAIN JUDGEMENTS

(i) Are detainees treated fairly?

At Morton Hall, we see an IRC that has an ethos of ensuring fair treatment for detainees and a staff team that is committed to delivering that ethos. Feedback from detainees about staff is positive. The Board commends the professionalism and calmness of staff in helping to bring this about, especially when they are required to manage challenging and, sometimes, confrontational behaviour.

The centre houses a very diverse population, with many nationalities and ethnicities. It has good policies and practices in place to ensure fair and equal treatment for everyone held there.

In the past, we have been concerned that detainees, who are often vulnerable people, are exposed to the risks of drugs and drug dealing. We are encouraged, however, to see this decline dramatically. During 2019, 45 detainees were found under the influence of illicit substances (compared with 227 in 2018). In 2019, there were 32 drug finds in the centre, as opposed to 44 in 2018. We commend the efforts of centre staff in achieving this reduction (see paragraph 4.5).

Paid work (termed ‘paid activities’) in detention centres is voluntary and detainees do not have to pay for food or accommodation. However, many of the activities that detainees undertake are essential to critical areas of the centre, such as the cleanliness and hygiene of residential areas and the operation of the centre’s kitchen. The £1 per hour pay rate is low, and we are concerned that it is below a level that is fair and decent (see paragraph 9.9).

(ii) Are detainees treated humanely?

Morton Hall IRC provides a satisfactory and, in some respects, good environment for men in detention. Detainees have their own rooms, and have access to many facilities and outdoor recreation, as well as opportunities for education and paid activities. Staff-detainee relationships are positive and there is an ethos which is committed to treating detainees with dignity and respect.

However, it is a place of detention, and the nature of immigration detention means that many detainees do not have any certainty about when or whether detention will end. Although most detainees have relatively short stays at the centre, we are concerned that some people remain in detention for a very long time. In 2019, the five longest-serving detainees at Morton Hall had spent between 388 and 784 days at an IRC (between 381 and 843 days in 2018) (see paragraph 4.9).

We are concerned that many detainees arrive at the centre in the middle of the night, having been transferred by van, typically with a lengthy journey into the early hours. Indeed, often, detainees are more likely to be transferred to Morton Hall at night than during the day (see paragraph 7.5).

Self-harm incidents continue to be a worrying aspect of life in detention. There has been a year-on-year decrease in the number of such incidents at Morton Hall (down 7%, from 217 in 2018 to 202 in 2019) but this is less than the 16% year-on-year decrease in the centre population (see paragraph 4.3).

Staff in the centre do their best to ensure a calm, caring and orderly environment for detainees. However, violence in the centre is a concern. Encouragingly, the number of altercations between detainees fell from 85 in 2018 to 65 in 2019 but the number of assaults on staff rose from 35 to 45 year on year (see paragraph 4.6).

We previously expressed concerns about the suitability of an IRC environment for detainees with a significant mental health condition or who have other circumstances that might heighten vulnerability. During 2019, a number of cases have heightened our worries about this matter (see paragraphs 4.12 and 4.13).

The Rule 35 procedure is designed to safeguard detainees whose health is likely to be injuriously affected by continued detention or any conditions of detention. We are concerned about delays in arranging and completing Rule 35 assessments (see paragraph 8.5).

(iii) Are detainees well prepared for their removal or release?

There has been a more systematic focus on welfare and services for removal and release, and we welcome the improvements made. This work can be complex and has to be delivered in the context of very short notice sometimes being given of departures. Decisions to issue removal directions can heighten risk for the welfare and wellbeing of detainees. We are satisfied that the centre has appropriate measures to manage this risk and to support detainees.

The local Home Office team has initiated some welcome changes that have improved detainee access to, and communications with, local staff. However, the local staff are not the case decision-makers. We would like to see detainees having better access to the Home Office decision-makers for their cases, and for there to be greater transparency in the decision-making process (see paragraphs 10.9 and 10.10).

The Board is concerned that releases from detention, in cases where men have been identified as being at risk of injurious harm if they remain in detention, and also in cases where a judge has granted bail from detention, are taking too long. During 2019, we were aware that men were remaining in detention for periods as long as three months, despite being classified at the highest adult at-risk level (see paragraphs 4.11 and 10.6).

We understand that there have been releases from the centre to no fixed abode and we are concerned at the effect this might have on the welfare of these men. We do not know the extent of this possible problem as no data is available. We welcome the recommendation of Her Majesty's Inspectorate of Prisons (HMIP) that the Home Office should monitor the numbers released to no fixed address, and take action to ensure that detainees released without means have access to settled accommodation (see paragraph 10.5).

RECOMMENDATIONS

(i) Greater efforts should be made by the Home Office to reduce the number of people coming into detention from prison. Better use should be made of the time in prison to resolve their immigration cases, thus minimising the need for immigration detention.

(ii) The Home Office should provide monthly data on, and aim to reduce the number of, transfers at night into and out of detention locations. We would like to see a policy introduced where night moves are only used in cases where there is no suitable accommodation at the previous location.

(iii) The Home Office should track and provide monthly data on the number of detainees remaining in detention after a judge grants bail, and the length of such detention, and also in cases where detainees are classified as a level 3 adult at risk.

(iv) The reasons for delays in the provision of suitable addresses should be investigated more thoroughly by the Home Office, and steps taken to reduce delays in release from detention.

(v) Consideration should be given to better screening and assessment of people with severe mental health conditions before they are placed in detention, with a view to avoiding detention in such cases. This would prevent detention exacerbating their condition and placing a greater eventual burden on the outside mental health placements that are proving necessary in such cases. If men with clinical mental health needs are in detention, every effort should be made to get them transferred to hospital.

(vi) The Home Office should consider whether on-site location of case decision-makers could lead to greater efficiency in case processing, reduce delays and improve accessibility and transparency.

MAJOR ISSUES OUTSTANDING FROM THE LAST REPORT

The Board expressed its concern last year about the small number of detainees (1%) held for over six months. It asked for systems to be put in place which accelerate decisions regarding removal and release. In 2019, the proportion of men held in detention at Morton Hall for more than six months rose to 2% and there is no significant change to the long periods spend in detention by the longest-resident detainees (see paragraph 4.9).

Similarly, there has been no marked reduction in the proportion of time-served foreign national offenders (TSFNOs) housed in Morton Hall. We have made a new recommendation on this matter (recommendation (i) above; see also paragraph 4.7).

In our 2018 report, the Board said that we would welcome greater support for the centre from the police, in response to instances of serious damage to property and assaults within the centre. During 2019, we have been disappointed that the police

rarely attended when informed about serious incidents. This has led us to raise concerns directly with the local Police and Crime Commissioner (see paragraph 4.8).

The Board remains concerned about the slow response of the contractor, Amey, to breakdowns in kitchen equipment. This is a longstanding concern, which we raised in our 2017 report (see paragraph 7.11).

We have questioned the suitability of an IRC environment for detainees with significant mental health conditions in previous reports. We remain of the view that such detainees should be accommodated in a more appropriate place, and we make a new recommendation on this matter (recommendation (v) above).

3. DESCRIPTION OF THE ESTABLISHMENT.

3.1 Morton Hall is an IRC located to the south-west of Lincoln. It is managed on behalf of the Home Office by HMPPS. It has an operational capacity of 392 detainees. During 2019, it had an average occupancy of 247 (293 in 2018). There are two Home Office teams located on the site – a detention engagement team and a detention and escorting services compliance team.

3.2 The centre occupies a large geographical area, with residential units and a range of other facilities. Residential rooms are single occupancy, comprising two double-storey units and three smaller single units. Additionally, there is a two-storey residential unit used for the induction of detainees in their first few days at the centre.

3.3 Healthcare services are commissioned by NHS England, and provided by Nottinghamshire Healthcare Foundation Trust. Catering services are delivered by HMPPS. Education/training is provided by Lincoln College (a subcontractor to People Plus Ltd) and facilities management by Amey plc. Welfare support for detainees and their families is offered by Lincolnshire Action Trust (LAT).

B: EVIDENCE

4. SAFETY¹

4.1 The safety, welfare and dignity of detainees are matters of priority at Morton Hall. This is evidenced in our observations from monitoring visits, weekly rota reports and subsequent discussions at monthly Board meetings. Board members frequently ask detainees, during rota visits, whether or not they feel safe at the centre. The vast majority report that they do feel safe.

4.2 Weekly safer detention meetings take place with representatives from LAT, the healthcare department, the Home Office and officers involved with detainees on assessment, care in detention and teamwork (ACDT) plans and vulnerable adult care

¹ Data sources for this section: HMPPS Morton Hall IRC safer detention analysis, unless otherwise specified.

plans (VACPs). Additionally, there are monthly meetings of the safer detention team, with peer supporters able to attend in order to convey the views and concerns of detainees. The monthly meeting is also an opportunity to analyse data in more detail and pinpoint hotspots or trends. Members of the Board attend these meetings, when possible, and report that matters are discussed in an open way. Detainees and staff are given the opportunity to present their views. Importantly, action plans are put in place, where necessary, and other staff made aware of these. The safer detention team has an appreciable level of expertise and experience. Members of this team provide guidance and support on suicide prevention and self-harm/violence reduction management.

4.3 The number of incidents of self-harm continues to be a matter of significant concern. There has been a year-on-year decrease (down 7% from 217 in 2018 to 202 in 2019) but this is less than the 16% year-on-year decrease in the centre population. Self-harm incidents continue to be a worrying aspect of life in detention. In conversations with detainees, members of the Board frequently hear about feelings of frustration and uncertainty about being held in detention.

4.4 The ACDT strategy is a self-harm reduction strategy to identify detainees at risk of self-harm and/or suicide, and give them the appropriate care and support. The Board recognises the vigilance of staff in identifying detainees who are struggling to cope within the IRC. The number of ACDTs opened has increased. In any one month during 2019, there was an average of 28 ACDTs out of an average centre population of 247 (compared with 27 out of 293 in 2018). This is a definite increase compared with two years earlier, in 2017, when the average was 25 and the average centre population was much higher (375). The number of VACPs opened in 2019 was also significantly higher than in 2018. Compared with last year, centre staff have had an even greater focus on identifying and preventing vulnerability to self-harm, and the increase in the number of ACDTs and VACPs reflects this. This high number is, of course, also a reflection of the vulnerability of many people in immigration detention. Careful attention is given to these documents by staff. Members of the Board commend the importance placed on them, and the allied support which stems from them.

4.5 In previous annual reports, the Board has been very concerned at the number of detainees gaining access to drugs within the centre. The reduction of drug use has been a particular area of success in Morton Hall in 2019. During 2019, 45 detainees were found under the influence of illicit substances (compared with 227 in 2018). In 2019, there were 32 drug finds in the centre, as opposed to 44 in 2018. The Board commends the efforts of staff and managers in reducing the presence of drugs. The centre has a dog which is trained to identify drugs, and a drug itemiser (a machine that identifies substances on post) has been purchased since our last annual report. The contribution of the substance misuse practitioners in the healthcare team is also applauded by the Board.

4.6 Violence in the centre continues to be a concern. Although the number of altercations between detainees fell from 85 in 2018 to 65 in 2019, the number of recorded assaults on staff rose from 35 to 45 year on year. Nine of these were classified as serious assaults (up from two in 2018). We are pleased, however, that the number of times that staff had to use force was down in 2019, with 189 reported instances of the use of force compared with 233 in 2018. Eighty-three of the uses of force in 2019 were

guiding holds only. In instances that we have monitored, the Board has been impressed by the professionalism and calmness of staff in managing and often de-escalating challenging situations.

4.7 The proportion of TSFNOs remained high during 2019, accounting for 48% of the centre population. The Board has previously expressed concern about the housing of detainees with criminal backgrounds alongside detainees with no such background. The Board continues to take a view that the presence of large numbers of TSFNOs can have an adverse effect on the welfare of more vulnerable detainees.

4.8 In our 2018 report, we raised a concern about the lack of police response to violent incidents and the low number which resulted in prosecutions. Of 60 referrals in 2018, only seven resulted in convictions. We were encouraged that a local protocol with the police had been established at the end of 2018. Despite this, in 2019 the situation was worse. Of 82 referrals, none resulted in convictions and only four in cautions. There is an agreed memorandum of understanding between the police and prisons and IRCs. In this, it is assumed that the establishment can carry out its own sanctions. This is the case in prisons, but the regime of possible sanctions is much more limited in an IRC, hence the need for more support from police at Morton Hall than there would be for a prison. The Board is concerned that there continues to be no improvement in police response to incidents.

4.9 The average (median) length of time that detainees spent at Morton Hall during 2019 was between two and four weeks. Just over a fifth (23%) of detainees had this length of stay at the centre. Just over two-fifths (42%) spent less time than this at the centre; 34% spent longer than one month there; and 2% of detainees were held there for more than six months. This data is just for stays at Morton Hall; the total time in detention for many men will be longer than this, as stays in Morton Hall may be preceded or followed by stays at other IRCs. The five longest-serving detainees spent between 388 and 784 days at an IRC (between 381 and 843 days in 2018). The longest stay at Morton Hall was 391 days (571 in 2018).² All of these long stayers were TSFNOs.

4.10 A number of detainees held at Morton Hall are categorised as 'adults at risk', on the basis of a mental health condition/impairment, a serious physical disability or, possibly, being a victim of torture or violence. During 2019, at any one time, there were typically around 40–50 detainees at Morton Hall for whom there was professional evidence indicating such conditions (level 2 adults at risk).

4.11 We are particularly concerned that, in some instances, professional evidence is such that it is judged that a period of detention is likely to cause harm (level 3 adults at risk), yet such men sometimes remain in detention. During 2019, we expressed concern at delays in releasing a number of men who had this level 3 classification, even though it had been agreed that they should be released from detention to a 'suitable address' in the community. We are aware of two cases towards the end of 2019 where detention continued for longer than two months (in one case) and three months (in the second case) because of delays in arranging 'suitable addresses'. Both cases fell under Detention Centre Rule 35(1), which is designed to identify detainees whose health is

² Home Office population data reports.

likely to be injuriously affected by continued detention or any conditions of detention, or are suspected of having suicidal intentions, or where there are concerns that they may have been a victim of torture.³ In such cases, we would hope that, subject to balancing the risk of release against immigration control factors, release would occur very quickly, and it is a matter of serious concern that such men are being held in detention for months.

4.12 The Board questions the suitability of an IRC environment for detainees with a significant mental health condition or who have other circumstances that might heighten vulnerability. In August 2018, the Torr residential unit was converted to a supported living unit, to provide some vulnerable detainees with a calm and more supportive living environment. Staffing levels are higher in this unit than elsewhere in the centre, and access to it is appropriately restricted to Torr residents. The Board welcomes this initiative, although the rolling programme of refurbishment of residential units has meant that this facility has not been continuously available.

4.13 We have a particular concern about the unsuitability of detention for men with severe mental health conditions who require specialised mental health care. During 2019, we were aware of four such men, who were assessed by the mental health team as needing outside specialised care. However, they remained in detention for periods of 15, 22, 52 and 70 days, respectively, after assessment before they were moved to such care. In all four cases, their condition manifested itself in behaviour that meant that they had to be separated from other detainees in Morton Hall, and be confined in the care and separation unit (CSU) for lengthy periods. One of these cases involved a stay of 70 days in the CSU, and stays of 24 and 31 days, respectively, occurred in two of the other cases. All men who were eventually transferred to secure mental health facilities had been sectioned under mental health legislation.

4.14 We commend the centre staff in these circumstances, who find themselves having to manage and care for men with severe mental health conditions and very challenging behaviour. We are satisfied that such men are managed as fairly and well as they can be in the circumstances. However, detention and the CSU are simply not a suitable setting for them, and we are very concerned at the fact that they remained in detention for significant periods when they needed a specialist care placement. We are also concerned that such stays can have an adverse impact on the men's conditions, and actually increase the level of care they will need in the outside placement, placing a greater burden on outside health services. In the case of the detainee who had to wait 70 days, we observed clear signs of a deterioration in his condition.

5. EQUALITY AND FAIRNESS⁴

5.1 Board members frequently ask detainees whether or not they feel they are treated fairly by staff at Morton Hall. The vast majority report that they are treated fairly. Detainees do sometimes remark that some staff are better than others. During the reporting year, we have seen an emphasis by centre managers on the importance of

³ Home Office, March 2019. Adults at risk in immigration detention, version 5.0, p. 21.

⁴ Data sources for this section: HMPPS Morton Hall IRC diversity and equality action team reports, unless otherwise specified.

maintaining high professional standards, and the use of appropriate language and behaviour towards detainees. We are satisfied that there are robust and proactive processes in place to identify and respond to any shortfall in standards, and that centre managers are very vigilant to any such instances.

5.2. The centre aims to hold regular detainee, staff diversity and equality action team meetings, to analyse diversity data and provide a forum for identifying issues relevant to the protected characteristics listed in the Equality Act in all areas of activity in the centre. In 2018, these meetings were quarterly, but a decision was made to hold them more frequently – every two months. We understand that one of these meetings was missed in 2019, with a four-month gap at that point between meetings.

5.3 The centre houses a very diverse population. During 2019, there were 54 different nationalities represented at Morton Hall. As at the end of the year (December 2019), the largest numbers were from Albania (18% of all detainees), India (12%), Pakistan (7%), Poland (7%), Romania (7%), China (6%), Iraq (4%) and Lithuania (4%). The ethnic mix of the centre was Asian (33%), White (31%) and a diverse range of other ethnicities, including black, black African and black Caribbean (21%). Ethnicity data was not available for 6% of the source database.

5.4 The largest faith group in the centre was the Muslim faith (42% at the end of 2019), followed by the Christian faith (32%). The Sikh, Hindu and Buddhist faiths collectively accounted for 13% of the population. A multi-faith centre provides facilities for all faiths. There is a managing chaplain, who is Christian, a Muslim chaplain and, in addition, there is visiting chaplaincy support for other faiths.

5.5 The centre gathers information about sexual orientation, but this data has always recorded a very low level of disclosure of sexual orientations other than heterosexuality. This stands in contrast to the results of an anonymous survey of Morton Hall detainees, conducted by HMIP as part of an inspection in October–November 2019, in which 18% of detainees self-reported as gay, bisexual or other than heterosexual. These findings highlight the importance of the centre’s initiatives to promote and raise awareness of LGBT equality, including meetings with peer group supporters. Such initiatives play an important role in promoting equality and respectful behaviour.

5.6 The geographically dispersed nature of the centre makes it unsuitable for detainees with mobility-impairment. It is rare for us to come across detainees with mobility impairments during our monitoring of the centre. There is a disability suite on two of the units, including the Seacole reception unit, if required. A new, fully adjustable bed and other equipment to help with disability were installed during the year.

5.7 A ‘community kitchen’ (where detainees are able to cook their own food and celebrate their own cuisine) is available. In our two most recent annual reports, we lamented the fact that this facility had fallen into relative disuse, but also noted that centre managers were entering 2019 keen to take steps to encourage stronger take-up of this facility. We are pleased to say that this has been successful, and that the community kitchen was used on 193 occasions by a total of 1,113 detainees during 2019. This is a transformational improvement and we hope to see it continue.

5.8 Detainees have access to a complaints procedure; the operation of this system is explained during induction meetings. Complaint forms and boxes are available on all residential units. The complaints process operates according to DS03/2015 standards. Complaints are audited annually. During 2019, 91 complaints were submitted (134 in 2018). Nine of these were substantiated and another nine partly substantiated. All responses to complaints are copied to the Board chair. Detainees are advised that they will receive a response to complaints within 20 working days, and this target was met in all cases. However, in some instances, detainees are at the centre for a shorter time. In such cases, every effort is made to forward the response. We consider that the centre's complaints system balances the need to give adequate time to investigate matters properly with the need to give a timely response to detainees, especially given that many detainees are spending shorter periods in detention at the centre.

5.9 The Board considers that the centre's programme of community events and invitations to external organisations to engage in activities with detainees is extremely valuable. The centre has an ongoing collaboration with JUST Lincolnshire, a local charitable organisation with specialist expertise in championing equality and tackling discrimination, and with Stop Hate UK.

5.10 The Board at Morton Hall has an explicitly stated commitment to diversity and equality. At the end of 2019, there were seven members: four men and three women. One member comes from a black, Asian or minority ethnic (BAME) background. Efforts are being made to try to ensure that the recruitment for new Board members reaches all parts of the local community, with proactive measures taken to target candidates with a BAME background.

6. REMOVAL FROM ASSOCIATION AND TEMPORARY CONFINEMENT⁵

6.1 Detention Centre Rules 40 (removal from association) and 42 (temporary confinement) permit the removal of detainees from association to the CSU when their behaviour and/or welfare are considered to make this necessary. During 2019, 141 detainees were admitted to the CSU under Rule 40, and six under Rule 42, giving a total of 147 – a decrease of 26% on the 199 admitted to the unit in 2018. The year-on-year average centre population also fell during this time, by 16%, so there was an additional proportional reduction in the use of the CSU during 2019 compared with the previous year. Detainees are made aware of the reason(s) for their transfer to the CSU. The Board is content that Rules 40 and 42 were appropriately employed.

6.2 Sixty-four of the total number of admissions to the CSU took place prior to detainees being transferred to another facility. The Board takes a view that using the CSU for this purpose helps to ensure safe removal, and is in the best interests both of detainees and the centre community. Explanations are offered to detainees as to why such a practice has regard for their welfare.

6.3 Around two-thirds (65%) of those moved to the CSU spent 24 hours or less there. Seventeen per cent were confined to the CSU for between 24 and 72 hours; 28% spent more than 72 hours in this facility. In one instance, which we report on more detail on

⁵ Data sources for this section: HMPPS Morton Hall IRC, unless otherwise specified.

in paragraph 4.13), a detainee was retained in the CSU for 70 days owing to behavioural issues and threats to staff, prior to his being transferred from the centre. The Board considers such a length of stay to be inappropriate (see paragraphs 4.13 and 4.14).

6.4 The CSU comprises six rooms: four furnished for those on Rule 40, one basic room for those on Rule 42 and a constant watch room. There are shower facilities on the unit. Additionally, there is a reflective room, where detainees have access to television/games and a play station. A small exercise yard with fixed gym equipment is available; detainees are actively encouraged to use this. The CSU facility is kept in a clean and tidy condition. A recent refurbishment has enhanced the quality of this environment. The unit is very secure.

6.5 Board members have often reported the high quality of professional care provided by CSU staff, sometimes under very challenging conditions, including, on occasions, dealing with excrement. Staff have frequently been commended by members for their patience, empathy and compassion. Detainees are able to make telephone calls to family, friends and their legal advisers while in the CSU.

6.6 Centre staff inform Board members by telephone about movements into and out of the CSU. Members enquire about the reasons for admission, and if there was use of force in effecting the transfer. Members always visit the CSU during rota visits. They speak with detainees, whenever possible, discuss matters with staff, and inspect and complete documentation. If a detainee seeks a meeting with a member of the Board at other times, every effort is made to arrange this.

6.7 Formal reviews are conducted daily by the duty manager for detainees kept in the CSU for more than 24 hours. The reviews determine whether or not detainees remain in the CSU. Typically, reviews are attended by representatives from the healthcare team, the Home Office and the chaplaincy. Board members attend when in the centre on rota. There can be up to seven attendees. Some detainees take the presence of such a relatively large number of people in their stride, but for others it can seem a little daunting. Moreover, when detainees have been in the CSU for an appreciable period, they sometimes find the daily process repetitive and not particularly productive. A professional telephone interpreting service is offered, and used for those with poor English. Where possible, Board members try to meet detainees in the CSU in advance of their review meetings, thus emphasising their independence and avoiding the first contact with the Board being left until the review meeting. Following review meetings, detainees have the opportunity to meet privately with the Board member present, if they so wish.

7. RESIDENTIAL SERVICES

7.1 There are five residential units, in the main area; the two larger two-storey units have en-suite facilities, and the three smaller single-storey units share communal toilets and showers. All accommodation units offer association rooms and kitchenettes with basic appliances. Detainees can prepare their own snacks and drinks to supplement the meals provided. The centre shop sells a wide range of basic provisions, including toiletries. In the three single-storey units, the reception area is well used as a communal area, and contains a large television, comfortable seats and a pool table. This facilitates

more contact with staff who have their residential office there. Two residential units have constant watch rooms.

7.2 The centre was formerly a prison, which was repurposed for use as a detention centre in 2011. The built environment continues to look much like a prison. It stands in contrast with some more purpose-built facilities that we have visited elsewhere in the immigration detention estate whose built environment has a more residential feel.

7.3 On arrival at Morton Hall, following initial processing in the reception area, detainees are housed in a separate residential induction unit before being transferred to other units. A lower centre population and a rolling programme of refurbishment of the centre has meant that the location of this separate induction unit changed a number of times during 2019. The Board welcomes the extensive redecorating and renovation that has taken place, including flooring, toilets and showers, and which is ongoing. This programme includes improvement of the old, cramped reception area, which is expected to be complete in early 2020.

7.4 Newly arrived detainees have to absorb a great deal of information shortly after first arriving at the centre, in many cases without a clear understanding of English. A professional telephone interpreting service is used where appropriate. The centre operates an induction session for all detainees in their first days in the centre, and this is backed up by ongoing support and information from staff and peer supporters.

7.5 We are concerned that many detainees arrive at Morton Hall in the middle of the night, having been transferred by van, typically with a lengthy journey into the early hours. Indeed, often, detainees are more likely to be transferred to the establishment at night than during the day. Around a third of arrivals are from police stations but many are from other locations in the immigration detention estate. When we ask about the reasons for such moves, we hear reference to operational convenience on the part of the Home Office detainee escorting and population management unit and its contractor. Night moves and arrivals only add to the disorientation and confusion that detainees can experience in a new detention environment. We are very concerned at the number of night moves, and are particularly concerned that operational convenience seems to be given a greater priority than the welfare of detainees. We would like to see a reduction in the number of night moves to those that are necessary only because there is no suitable accommodation at the previous location.

7.6 Each unit/landing employs a detainee as a cleaner, who has supervised access to cleaning materials. On occasions, professional cleaning services are engaged. Laundry is done by employed detainees. Sufficient clothing is issued to men who need it and there is room to store personal belongings in residential rooms. In general, cleanliness is reasonable in the residential units, although it can be variable and, with no day-to-day professional cleaning, it is heavily reliant on the quality of the work of detainees, who are employed at a rate of £1 per hour (see paragraph 9.9).

7.7 Morton Hall's buildings are set within large areas of open space and gardens. The gardens are very well maintained and planted, so there are flowers and foliage changing with the seasons. Detainees work on the gardens. They are permitted to smoke outside, with lighter points outside the unit and reception. Rats are regularly seen in the outdoor parts of the centre (with the problem increased by the tendency of detainees to feed the ducks, and this food being left around) but the Board is not aware of any vermin infestations within any of the buildings.

7.8 All detainees are issued with an analogue mobile phone on arrival. Calls from these are not monitored. Mobile phone reception can be poor in parts of the centre, particularly indoors, and detainees have raised concerns about this to us. Incoming calls can be a problem if a phone is not positioned in a spot that has reception. However, there is no 'quick fix' solution for this, and the reception is not so poor that it prevents detainees from making good use of their phones to make calls and stay in touch with sources of outside support, such as friends, family and legal representatives. The phones do not have internet access. There is internet available on sufficient computers in a central hub, with officer oversight and restricted access to sites. A Skype terminal was installed in 2019 for better contact with families. It can be pre-booked and is well used, and detainees can usually get a slot if they want one.

7.9 A key worker scheme, replacing the previous personal officer scheme, was introduced in May 2019. All residents have a named member of staff who they can go to for information and advice. We observe good interactions between staff and detainees, with enquiries and requests being responded to appropriately. Professional telephone interpreting services are used when needed.

7.10 The catering department is well managed and operated. Despite the disparate ethnic groups, menus are varied, and an appreciable effort is made to accommodate different tastes and diets. Portions served are generous; there is a relaxed attitude towards food being taken away from the dining room for consumption on the residential units. Waste food is often given to the many ducks in the grounds, and this can be a problem as it attracts rats. There is a food comments book, which detainees make use of, and there are also consultation processes through which detainees can make suggestions about meals. There is a separate 'community kitchen', which detainees can pre-book, where they can prepare their own food, using food provided by the centre (see paragraph 5.7). There is a good range of fresh sandwiches, snacks and drinks in the reception area for those who detainees who are arriving at or leaving the centre. Hot meals are provided either from the hotplate at mealtimes or microwave oven at other times.

7.11 We expressed concerns in our 2017 report about the failure promptly to address the breakdown of kitchen equipment, and this has again been a problem in 2019. The response of the contractor, Amey, in supplying materials and equipment for repairs and breakdowns has been slow. If the staff on site from Amey cannot fix a problem, other suppliers or contractors are contacted; time elapses; they attend and look at the damaged equipment and, if a part is needed, they leave; more time elapses; they put in a quote to Amey, which will then accept the quote and, after more time elapsing, the contractors will return to the centre and fix the equipment. The Board is concerned that the slowness of these processes is leaving equipment unrepaired and, potentially, endangering safe kitchen practice. During 2019, we also raised concerns about a failure to wash down and maintain hygiene in waste bins at the back of the kitchen.

7.12 The visitors lounge is bright and well furnished, with a play area for children and a vending machine for drinks and snacks. In better weather, when staff levels allow, detainees and their visitors can also use a pleasant outside area. Visits are pre-booked and there is usually space for all those who wish to visit. Visits are also allowed if visitors arrive without having made a booking. Visiting times are 1.30–4.15pm daily, extending to 8.15pm on Thursdays and 5.30–8.15pm on Sundays.

8. HEALTHCARE

8.1 Healthcare services continue to have strong clinical leadership, an effective team approach, an integrated service, sound governance and a good partnership with the centre's management team. All detainees have access to healthcare services and are seen for assessment during induction by a primary care nurse, who makes any necessary referrals. Prescriptions are sent electronically to the pharmacy, and it is open for three time slots each day to dispense supervised and issued medication.

8.2 Healthcare services, including a general practitioner (GP), dental care (on site), a hepatitis nurse specialist, optometry, pharmacy, a mental health nurse, podiatry, substance misuse and a visiting consultant psychiatrist, continue to be maintained at a consistent level, with waiting times for primary care clinics comparable to or better than similar services in the community. During 2019, the healthcare waiting area was refurbished and improved. During monitoring visits, Board members' conversations with detainees attending for or seeking to make appointments have not given rise to any concerns. Appointments are conducted in privacy. Those needing inpatient care are transferred to hospital as needed, although there are delays in the availability of mental health beds (see paragraphs 4.13 and 4.14).

8.2 The inspection of Morton Hall by the CQC, as part of the HMIP inspection in 2019, found no breaches of the relevant regulations and highlighted in particular the proactive approach to blood-borne virus testing and the prompt treatment for hepatitis C; the proactive stepped-care model; and membership of the Quality Network for Prison Mental Health Services (QNPMHS), which had led to continued improvement and good outcomes in patient care. They also noted that: (a) collaborative partnership working between the centre, the health provider and the commissioner was evident; (b) lessons learned from adverse incidents, audits, complaints and compliments informed service improvements and were shared with staff at team meetings; and (c) good progress had been made on implementing Prisons and Probation Ombudsman health recommendations from investigation reports into fatalities.

8.3 Each month, approximately 120 detainees were referred to the centre's mental health services. An appointment is made within five working days, and within 24 hours for urgent referrals. For the third year running, the mental health team has been recognised in the QNPMHS peer review, being awarded first place, with a score of 92% of standards fully met. The mental health team proactively follow up patients who do not attend, and reports that no one falls through the net. The peer review highlighted that discussions with partner agencies confirmed the supportive relationships and collaborative working in place across the centre. Partner agencies spoke extremely positively about the mental health team, praising them on their excellent working relationships, and mentioning that the team had been nominated for an award. These observations are shared by the Board.

8.4 There were very few complaints about healthcare services in 2019. Issues raised by detainees were predominantly resolved by resolution. There were four formal

complaints, but none were upheld. Applications to the Board regarding healthcare services fell to five in 2019, compared with 11 in 2018.

8.5 Waiting times to complete Rule 35s remain a challenge. There is no formal Home Office training for GPs to complete this document. For most of 2019, there was only one GP working at the centre, and therefore available to complete the relevant documents. This led, at times, to a wait of up to 11 days. This continues to be an issue for the Home Office to resolve. We view this situation with serious concern, given that Rule 35 is designed to identify particularly vulnerable detainees.

8.6 The healthcare team is proactive with respect to the management of complex cases. Complex case meetings are held every week and attended by everyone on shift, including primary care, mental health, substance misuse and pharmacy staff. Consideration is given to identifying individuals at risk or vulnerable, and to the appropriate level of risk/vulnerability classification. In addition, at weekly operational safer detention meetings, attended by heads of operations, including healthcare and welfare representatives, all detainees on ACDTs are reviewed.

9. EDUCATION AND PURPOSEFUL ACTIVITY⁶

9.1 Education is provided by Lincoln College (a subcontractor to People Plus Ltd). A wide range of courses is offered. During 2019, the service recorded 10,581 educational interactions with detainees, through a mix of classes, work-based learning, English as a second language (ESOL) outreach and creative activities. We estimate this to be about 40 interactions each day, which reflects what we observe as monitors. Education staff take part in initial detainee inductions, and detainees can start education sessions within a day or two of arriving in the centre, if they want.

9.2 Education is available to all detainees every weekday, apart from Bank Holidays. It is delivered in 2.5-hour sessions, giving 25 hours each week. Sessions are very rarely cancelled. In a survey conducted to get feedback from detainee students during 2019, 93% said that they would recommend the course to someone else and 100% felt that they were gaining skills that would help them in the future.

9.3 Education provision reflects the very different lengths of stay of detainees in the centre, and uncertainty about the length of stay. Short courses are available, and the modular design of the curriculum enables detainees to build their skills to suit the time they are at the centre. During 2019, 934 certificates were awarded for completing a module. Learners can progress to higher-level classes, including ESOL and information and communications technology. The education curriculum and timetable are regularly reviewed, and changed based on detainee feedback and policy changes.

9.4 We note that the report of the HMIP inspection of Morton Hall conducted in October–November 2019 was of the view that education services are good, although the centre's data showed that only 18% of detainees had attended education classes in recent months. This figure needs to be considered in the context of the very short stays of some detainees. As we noted earlier (see paragraph 4.9), 42% stay less than two weeks at the centre. The education team has prioritised the design of short courses and

⁶ Data sources for this section: People Plus Ltd, Morton Hall library team, Morton Hall gym team, unless otherwise specified.

innovative ways of delivering meaningful education for detainees who will be in the centre for only a short time.

9.5 The education service is delivered from buildings which are some distance from the main centre, presenting challenges for education staff in terms of visibility. However, education staff act proactively to overcome this. They are involved in induction events and visits, deliver outreach services to detainees on residential units, attend wellbeing events and have information readily available about education in the top 10 languages of detainees at the centre.

9.6 The library is in the main residential area and is open on Monday to Saturday mornings and afternoons, with one evening session a week. There were no closures during 2019, except for Bank Holidays and a three-day stock check. Books are stocked in 43 languages. DVDs account for around 90% of lending. Stock is changed and added to periodically. Staff estimate that 80% of detainees use the library. Detainees are complimentary about the library; the atmosphere there is relaxed, and it is always busy.

9.7 The gym is also in the main residential area and is open every day and five evenings a week, an increase of one evening from 2018. There is also a sports hall and an outdoor all-weather sports area. Activities are designed to reflect the different needs and ages of the centre population. Around 55% of detainees use the gym.

9.8 There is a good range of paid activities, including cleaning, kitchen work, peer support, gardening and barbering. Occupational skills assessments by education staff take place, so that detainees have evidence of skills developed for their future, on leaving the centre. Subject to compliance checks, they can start working on the same or next day when they apply in low-risk areas, or after security clearance in high-risk areas, like the kitchen. On average, 42% of the population was in paid activity during 2019.

9.9 Detainees are paid £1 per hour, compared with the current national minimum wage of £8.21 (2019/20), which is due to go up to £8.72 for 2020/21. Detention centres, like prisons, are exempt from minimum wage legislation. Paid work (termed 'paid activities') in detention centres is voluntary and detainees do not have to pay for food or accommodation. However, many of the activities that detainees undertake are essential to critical areas of the centre, such as the cleanliness and hygiene of residential areas and the operation of the centre's kitchen. The £1 per hour pay rate is low, and we are concerned that it is below a level that is fair and decent. We understand that the pay rate is set by the Home Office, and it has remained at this low level since 2008.

10. PREPARATION FOR REMOVAL/RELEASE

10.1 In our 2018 annual report, we reported that we considered that the nature of the reception/departure suite is not fit for purpose. It is small, cramped and fails to provide the necessary privacy for incoming and departing detainees. On occasion, it gets congested. This continued to be the case in 2019. We are pleased to note that it was due to be modified and refurbished in the first three months of 2020.

10.2 LAT provides welfare and family support, and prepares men for release or removal. Compared with the previous year, there has been a more systematic focus on the delivery of services in this area. This has been due to the very good progress made

by LAT and its professionalism, which we were pleased to see was acknowledged by HMIP in its 2019 inspection report. LAT's team aims to visit all new arrivals within 24 hours, to assess their welfare needs. The team also sees the vast majority of detainees before release, transfer or removal. This work can be complex and has to be delivered in the context of the very short notice sometimes given of departures.

10.3 Release work by LAT starts at induction, when the detainee is given information about the support he can expect if he is deported or if he is released into the community. Post-release support includes giving the detainee an LAT exit leaflet with contact details and other relevant information. All detainees arriving at the centre attend a personal induction meeting with a member of Home Office staff. Board members have attended these meetings and are satisfied that they are well conducted and make use of professional telephone interpreting facilities where appropriate. The Home Office asks detainees if they wish to return to their country of origin and, in cases when they do want this, they have access to voluntary return arrangements.

10.4 In cases of transfers to other centres, detainees are informed in advance by officers and they can speak to Home Office staff if they want to discuss the move further. Some detainees are placed in the CSU prior to transfers out of the centre, in cases where individual risk assessments indicate that this is the safest procedure. The Board considers that Rule 40 is appropriately used for this purpose and prevents disruption in the centre. In most cases, the detainees move compliantly without the need for use of force.

10.5 We are aware that there have been releases from the centre to no fixed abode and we are concerned at the effect this might have on the welfare of men. We do not know the extent of this possible problem as no data is available. We welcome the recommendation of HMIP that the Home Office should monitor the numbers released to no fixed address and take action to ensure that detainees released without means have access to settled accommodation. Where a detainee is likely to have no fixed abode, liaison with LAT is prioritised. LAT has links with national charities and agencies that can be contacted for assistance. The detainee can also contact LAT post-release, and is advised to do so if needed.

10.6 We are also aware that sometimes men remain in detention for significant periods, even after a judge has ruled that they should be released on bail. On a number of occasions during 2019, we have been told of delays in such cases, and that these were due to problems with arranging suitable release addresses and to delays on the part of the probation services in assessing such addresses. We are concerned that these delays are causing men to remain in detention longer than is necessary, at possible cost to their welfare, as well as to the public purse.

10.7 Decisions to issue removal directions can heighten risk for the welfare and wellbeing of detainees. We are satisfied that the centre has appropriate measures to manage this risk and support detainees through liaison with other centre staff, including residential officers and LAT staff. There is heightened vigilance of, and care for, detainees who have ACDTs or VACPs in place.

10.8 The Home Office sends a list of names of persons with removal directions to LAT, and LAT staff see the detainee, and enquire about family and loose ends that need tying up – for example, bank accounts and tenancies. The Red Cross offers a family tracing

service and can be booked to attend the centre if needed. LAT also provides details for online access to information on the returning or resettlement country, but will also engage with Hibiscus Initiatives, a specialist charity specialising in this sort of work. In those instances where a detainee has applied for judicial review, he will be asked to make a 'what if' plan.

10.9 We frequently hear frustrations expressed by detainees about the Home Office. During 2019, the Home Office increased the number of staff on site and introduced two teams – an immigration enforcement detention engagement team and a detention and escorting services compliance team. Detainees now have a personal engagement officer who they can contact by telephone, and open surgeries have also been introduced on two mornings a week in a residential unit. In addition, detainees can request a face-to-face appointment with their Home Office engagement officer at any time, and appointments are available seven days per week. We welcome these initiatives to improve communication.

10.10 Although there are improved arrangements for contact with local Home Office staff, it remains the case that detainees have no direct access to the decision-makers for their cases, who work from other Home Office locations. This is a cause of continuing frustration for detainees. In addition, we are concerned that sometimes when we enquire about cases, there seem to be delays that stem from the time taken for case workers to look at and make decisions, which can, in turn, lengthen the time spent in detention. The Board would like to see greater transparency in the decision-making process and better access to the decision-makers.

10.11 Detainees are able to get information about access to legal representation from library staff and from LAT. The library also stocks a range of legal textbooks. Legal visits take place every day from Monday to Friday. For detainees who do not already have a solicitor, there is a rota of legal firms who visit the centre every seven days. Detainees can ask for a 30-minute appointment with a solicitor from whichever firm is visiting that week. They will assess the merits of the immigration case and decide whether free legal advice can be offered. We understand that the quality and adequacy of legal advice vary widely between different law firms. This means that, even for men who qualify for legal aid, access to a solicitor and, crucially, the quality of the legal support provided are somewhat of a lottery, as they are largely dependent on which firm is visiting the centre that week. Detainees' ability to choose a solicitor who is most appropriate to their case, or on the basis of the firm's track record, is somewhat limited. Many detainees without funds have no recourse to legal aid at all and, therefore, no access to legal representation. In a survey conducted as part of the recent HMIP inspection, only 62% of detainees said that they had an immigration lawyer.

10.12 Detainees who have been in the UK for at least seven days can apply for bail unless they have already had a bail application refused in the previous 28 days. Bail for Immigration Detainees (a charity providing detainees with legal advice and representation) visits the centre fortnightly to advise detainees about bail applications, and its handbook is available in the library.

10.13 Constructive working relationships have been developed with the Morton Hall Detainee Visitors Group, which is a network of volunteer visitors who offer detainees at the centre emotional and practice

C. THE WORK OF THE IMB

At the end of December 2019, the Board at Morton Hall comprised seven members, two of them probationary members.

During the reporting year, Board members have worked hard to ensure that detainees are aware of the precise nature of our role and the ways in which we might assist them. The high turnover of arrivals and departures from the centre greatly increases the challenge of ensuring knowledge of the Board. As well as receiving applications from detainees, we estimate that, during 2019, we had some 400 conversations with detainees, during which we heard about their experience of the centre and any concerns that they had.

The Board has sustained its rota visits, typically two each week. Members attended training, including training on Home Office procedures and adults at risk. There was a visit to Manchester Airport Residential Short-Term Holding Facility, which was very informative as some detainees arriving at Morton Hall have come from there. The generous contribution of time and expertise of members is much appreciated by the Board chairperson.

Board business has been well supported by our clerk. The Board also appreciates the helpfulness of staff and managers at the establishment in ensuring that it has the right of access to every detainee, every part of the establishment and to the establishment's records. In view of the retirements of members at the end of 2019, we have a recruitment campaign for new members scheduled during 2020, and aim to make every effort to achieve a more diverse Board.

D. BOARD STATISTICS AND APPLICATIONS TO THE IMB**IMB MORTON HALL – BOARD STATISTICS – 2018**

Board statistics	2019	2018
Recommended complement of board members	12	12
Number of board members at start of the reporting period	9	8
Number of board members at end of the reporting period	7	9
Number of new members joining within the reporting period	2	3
Number of members leaving within the reporting period – end of tenure / other reasons	4	2
Total number of board meetings during reporting period	12	12
Average number of attendees at board meetings	7.9	6.9
Number of attendances at meetings other than at board meetings	17	21
Total number of visits to the IRC (including meetings)	235	221
Total number of applications received	33	54
Date of Annual Team Performance Review	23 April 2019	22 May 2018

APPLICATIONS TO THE IMB

CODE	SUBJECT	2019	2018
A	Accommodation including laundry, clothing, showers etc	Nil	2
B	Use of force, removal from association, temporary confinement	Nil	1
C	Equality	Nil	1
D	Purposeful activity including education, paid work, training, library and other activities	Nil	6
E1	Letters, faxes, visits and telephones	4	2
E2	Finance including detainees' centre accounts	1	0
F	Food and kitchen	Nil	1
G	Health including physical, mental and social care	5	11
H1	Property within this establishment	3	2
H2	Property during transfer or in another establishment	2	2
I	Issues relating to detainees' immigration case; including access to legal advice	15	20
J	Staff/detainee conduct including bullying, of which: - <i>alleged misconduct by staff</i> - <i>alleged misconduct by detainees</i>	3 2 1	5 4 1
K	Escorts	Nil	1
	Total number of IMB applications	33	54