



# **Annual Report of the Independent Monitoring Board at Yarl's Wood IRC and RSTHF**

**For reporting year  
1 January – 31 December 2021**

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## **Introductory sections 1 – 3**

### **1. Statutory role of the IMB**

#### **1.1 Statutory role in the IRC**

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 IRC is situated.

Under the Detention Centre Rules 2001, the Independent Monitoring Board (IMB or Board) is required to:

- monitor the state of the premises, its administration, the food and the treatment of detained persons
- inform the Secretary of State of any abuse that comes to their knowledge
- report on any aspect of the consideration of the immigration status of any detained person that causes them concern as it affects that person's continued detention
- visit detained persons who are removed from association, in temporary confinement or subject to special control or restraint
- report on any aspect of a detained person's mental or physical health that is likely to be injuriously affected by any condition of detention
- inform promptly the Secretary of State, or any official to whom authority has been delegated, as it judges appropriate, any concern it has
- report annually to the Secretary of State on how well the IRC has met the standards and requirements placed on it and what impact these have on those in its custody.

To enable the Board to carry out these duties effectively, its members have right of access to every detained person and every part of the IRC and all its records.

#### **1.2 Statutory role in the RSTHF**

The Yarl's Wood Independent Monitoring Board is appointed by the Home Secretary to monitor and report on the welfare of people in a short-term holding facility (STHF) through observation of their treatment and of the premises in which they are held.

The Board conducts its work in line with the Short-Term Holding Facility (STHF) Rules 2018, which place the day to day operations of STHFs on a statutory footing. Part 7 of the Rules sets out the responsibilities of the Independent Monitoring Board (referred to in the Rules as the Visiting Committee). The Board has unrestricted access to every detained person and all immigration detention facilities and to most records. IMB members have access, at all times, to all parts of the facility and can speak to detained persons outside of the hearing of officers. They must consider any complaint or request which a detained person wishes to make to them and make enquiries into the case of any detained person whose mental or physical health is likely to be injuriously affected by any conditions of detention. The IMB must inform the STHF manager about any matter which they consider requires their attention,

and report to the Secretary of State about any matter about which they consider the Home Office needs to be aware.

The Board's duties also include the production of an annual report covering the treatment of detained persons, the state and administration of the facility, as well as providing any advice or suggestions it considers appropriate. This report has been produced to fulfil that obligation.

### **1.3 OPCAT**

The Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT) is an international human rights treaty designed to strengthen protection for people deprived of their liberty. The protocol recognises that such people are particularly vulnerable and aims to prevent their ill-treatment through establishing a system of visits or inspections to all places of detention. OPCAT requires that states designate a National Preventive Mechanism to carry out visits to places of detention, to monitor the treatment of and conditions for detained persons and to make recommendations for the prevention of ill-treatment. The IMBs are part of the United Kingdom's National Preventive Mechanism.

## 2. Description of the establishment

Yarl's Wood IRC ('the centre') is a purpose-built establishment for the detention of single women and men under immigration legislation. The centre is managed on behalf of the Home Office Immigration and Enforcement unit (HOIE) by Serco.

During 2021 the establishment has been used as both an IRC for women and men and a RSTHF for men.

The maximum capacity of the centre is 410, housed in five units: Avocet, Bunting, Crane, Dove and Nightingale. At the start of 2021, the centre operated as an IRC for women and a RSTHF for men. During the year transition work has taken place on Avocet, Crane and Dove to enable those units to be more suitable to be used as IRC units for men and they can now be used for either IRC or RSTHF purposes. Bunting is used as a RSTHF unit for men and Nightingale has been used as an IRC for women. Modifications are planned to take place on Nightingale to enable it to be a stand-alone unit for IRC women that will not require the women to have access to other centre facilities. The capacity at the end of 2021 was allocated as follows: 38 male RSTHF, 58 female IRC and 314 male IRC. Most of the accommodation is in en-suite twin rooms, although single rooms are provided when necessary. All units provide access to a garden area.

The Board questioned whether the centre was fully prepared to be used for male IRC detention, given that it was previously used for predominantly IRC detention of women and families without children. In reply, Serco advised the Board that at the request of the Home Office, it had undertaken an evaluation of considerations and costings for the planned repurposing of Yarl's Wood to a male IRC. The Board acknowledges that structural and staffing changes have been made in preparation for the repurposing but still has its reservations as to the suitability of the centre for this role.

Modifications have taken place to the former Nightingale separation unit and supported living facility (SLF) and they are now known as the care and separation unit (CSU). The CSU is multi-purpose and contains rooms for use under IRC rules 15, 40, and 42, and RSTHF rules 13, 35 and 37. Since 2018 it has sometimes provided more relaxed and temporary accommodation for detained persons requiring a greater level of support and those who struggle to cope on a main unit. In addition, the CSU is used at times as a pre-departure area.

The number of men leaving the centre in 2021 was 6,427 with a peak average occupancy of 162 in July. The number of women passing through the centre in 2021 was 269 with a peak average of 18 in July and September. The total number of people passing through the centre increased by 23% compared with 2020.

On-site healthcare is provided by Northamptonshire Healthcare NHS Foundation Trust (NHFT), commissioned for the centre by NHS England. Additional services are provided by the Kaleidoscope Group which supports the wellbeing of those detained.

The Home Office detention engagement team (DET) communicates with detained persons and helps them understand their cases and detention. During 2021, depending on lockdown restrictions, detained persons have been contacted by phone as well as having face-to-face meetings in the legal corridor and on units. The

Home Office detention and escorting services (DES) compliance team is responsible for all on-site commercial and contract monitoring. The welfare office also runs daily surgeries to support detained persons and further services are supplied by external organisations: Hibiscus, who advise on resettlement, the Red Cross who help trace families and Bail for Immigration Detainees (BID), which advises on bail applications. Yarl's Wood Befrienders also visited the Centre but during lockdown restrictions provided remote support to detained persons. Spiritual support and counselling for pastoral purposes are provided by the religious affairs team, with representatives from all the main faiths.

Educational opportunities are provided by a teacher employed by the contractor.

## **Executive summary**

### **2.1 Background to the report**

#### **Covid-19**

Covid-19 has once again presented many challenges to the Yarl's Wood management in providing a safe environment for detained persons, the workforce and visitors. The processes that were put in place during 2020, including isolation in the SLF, precautionary isolation in units, and reverse cohorting of detained persons, have been continued. All detained persons entering Yarl's Wood have their temperature taken and are tested using a lateral flow test (LFT). Those who are positive or are symptomatic of Covid-19 are placed in protective isolation and are subject to a further polymerase chain reaction (PCR) test. Detained persons who have travelled with a person who has either tested positive or is symptomatic are placed in precautionary isolation in a separate unit. Sufficient stocks of personal protective equipment have been available and all detained persons have been provided with face masks and advised both verbally and pictorially about social distancing requirements.

The Board is not aware of any in-centre transmission of Covid-19 during 2021 and the Board applauds the successful efforts to stop person-to-person spread in the centre.

#### **Small boat arrivals**

Several times during the year, the centre was presented with challenges in accommodating and processing the large numbers of detained persons arriving from Dover having crossed the English Channel in small boats. July and November were particularly busy and the challenges were exacerbated at times by units being closed for modifications or placed in precautionary isolation. In November a critical incident was declared by the Home Office due to the anticipated exceptional number of cross-Channel arrivals. In preparation for this, the social visits hall was laid out to provide temporary accommodation with 30 mattresses together with towels and sheets. The social visits hall is clean and warm but space is limited and toilet facilities are limited to two cubicles. The social visits hall did have to be used but only for a short period of six hours on one occasion until the dispersal of detained RSTHF persons made unit accommodation available.

Her Majesty's Inspectorate of Prisons (HMIP) made a short scrutiny visit to the centre at the end of August specifically to conduct an inspection against their expectations of RSTHF detention and healthcare facilities.

This report presents the findings of the Board at the centre for the period 1 January 2021 to 31 December 2021. The Board's evidence comes from observations made on rota visits, remote monitoring by telephone, scrutiny of records and data, informal discussions with detained persons and staff, and detained persons' applications. From January to the end of March, very few monitoring visits were made to the centre due to lockdown restrictions. To reduce in-centre visits, a telephone number and email address were provided so that detained persons could contact the Board with issues and applications. The telephone number and email address were monitored every 24 hours and if a complaint was received, the detained person was contacted to understand, and if necessary, act on dealing with their difficulty.

However, hardly any contact was made using these methods. Regular rota visits resumed during April.

The Covid-19 outbreak has had a significant impact on the Board's ability to gather information and discuss the contents of this annual report. The Board has therefore tried to cover as much ground as it can in these difficult circumstances, but inevitably there is less detail and supporting evidence than usual. Ministers are aware of these constraints. Regular information is being collected specifically on the centre's response to the pandemic, and that is being collated nationally.

Since June 2020, the Home Office and Serco have reduced the scope of their respective monthly reporting to the Board. The Board regrets that this reduction in the information that it receives has significantly hindered its gathering of background data, monitoring and day-to-day scrutiny of the activities at the centre.

## **3.2 Main judgements**

### **How safe is the IRC and RSTHF?**

2021 has again been a challenging year due to the Covid-19 pandemic, the works involved in the transition of the centre to accommodate male IRC-detained persons and the occasions when large numbers of RSTHF-detained persons have arrived in a short period of time. The Board applauds the centre's management in the way that they have managed these challenges with systems and procedures to provide a safe environment for all detained persons and those who work at Yarl's Wood. This is evidenced by the relatively low numbers of Covid-19 cases during 2021.

Although there has been an increase since 2020, generally there were low levels of violence, removal from association, and substance misuse within the centre. Detained persons requiring treatment for substance misuse had arrived at the centre with pre-existing substance misuse issues. The Board has witnessed the identification and monitoring of detained persons in need of assessment, care in detention and teamwork documents (ACDT) to be detailed and thorough, as has the safeguarding of persons with specific vulnerabilities. (See sections 4.2–4.5)

The Board is, however, concerned that whilst the centre is operating as a RSTHF, with large numbers of detained persons passing quickly through the centre, vulnerable adults may not be properly identified and may be released into the community or transferred within the estate without appropriate support.

### **How fairly and humanely are detained persons treated?**

The Board has observed that detained persons are treated fairly and humanely. Detained persons report that they are generally well treated in the centre. There are focus groups and lead members of staff for protected characteristics. There have been few complaints about centre staff.

The Board continues to be concerned about the procedures for the notification, investigation and resolution of complaints. During 2021, feedback to the Board has improved but this has involved considerable effort by the Board's clerk, and a comprehensive overarching management of all complaints is not observed. The



Board continues to be unable to establish if complaints sent to agencies other than Serco and Mitie are properly investigated within the mandated time frame, and whether a reply has been sent to complainants. (See sections 5.7.1–5.7.4)

### **How well are detained persons' health and wellbeing needs met?**

The improvements witnessed since NHFT assumed responsibility for healthcare continue to be maintained. Staffing in mental healthcare has been maintained and a good quality of primary and mental healthcare is provided to all detained persons in a timely manner. (See sections 6.1 and 6.2)

### **How well are detained persons prepared for return or release?**

IRC-detained persons who are to be removed are treated justly and humanely by DET and centre staff.

The centre continues to witness some difficulty with RSTHF detained persons feeling anxious and sometimes angry at the length of time they have been detained. They have expectations that they will be quickly released and managing these expectations could be improved by explaining to them the process in the centre in a language that they can clearly understand. (See section 4.1)

## **3.3 Recommendations**

### **TO THE MINISTER**

- Vulnerable adults continue to be detained. The pilot scheme Community Action Pilot, Action Access exploring alternatives to detention has produced positive results. The Board recommends that the measures undertaken which improved the health and wellbeing outcomes for vulnerable persons are incorporated into case worker detention evaluation and centre operational procedure instructions for these persons.

### **TO HOME OFFICE IMMIGRATION ENFORCEMENT**

- The Board recommends that a centralised complaints-tracking database is introduced, to ensure that all complaints, regardless of the agency involved, can be shown to have been investigated within the allocated time frame and a reply sent to the complainant. The database should also link the complaint and response correspondence to each case and be accessible to agencies at the centre.
- The Board further recommends the Home Office advises the Board of its consideration of how complaints about agencies other than those at the centre could be shared with the centre to ensure best practice and/or support the wellbeing of individuals.

## **TO THE DIRECTOR / CENTRE MANAGER**

- The Board continues to observe that many detained persons, particularly those detained under RSTHF rules, do not fully understand where they are or what will happen to them and at times have become frustrated about the length of their detention. The Board acknowledges that the large numbers of cross-Channel migrants have presented the centre with many challenges that have been well managed. However, it is imperative to complete the plans to prepare an induction video with a soundtrack in a language that the detained persons understand. This will help mitigate many of the problems that have been observed.
- The Board recommends that the centre should maintain its vigilance in the identification of vulnerable persons and minors and strictly follow procedures when these persons are released from the centre.
- The Board recommends that, where practical, the centre gives the Board good notice of all subject multidisciplinary team meetings so that the Board has the opportunity to attend.

## **TO NHS ENGLAND**

- The Board recommends that NHFT continues to maintain the excellent staffing levels and services of the last year.

### **3.4 Progress since the last report**

In last year's report, the Board repeated its comments and recommendations about the detention of vulnerable persons. The minister rejected the Board's recommendation but advised that a pilot scheme exploring enhanced pre-detention screening, paused due to the Covid-19 pandemic, would be restarted. The pilot, titled the Community Action Pilot, Action Access, began in March 2019 and ended in March 2021. The evaluation of the pilot found that participants experienced more stability and better health and wellbeing outcomes whilst being supported by the pilot than they had received in detention. These outcomes were achieved without decreasing compliance with the immigration system.

The Board is pleased to report that there have been improvements in the personal information provided to the centre of small boat migrants arriving from their initial triage at Dover. However, there have still been cases of some persons arriving with missing or incorrect information which subsequently must be generated at Yarl's Wood to enter the people on the administration system. There have also been occasions when migrants have arrived at the centre with injuries that required hospital treatment and which should have been treated at hospital facilities in Dover.

The Board is pleased to report that there has been an improvement in the quality of information provided to RSTHF detained persons upon their release.

The Board is pleased to report that there has been some improvement in the sharing of complaints and their outcomes with the Board. However, communicating replies to the Board has been inconsistent and relied significantly in reply tracing by the

Board's clerk. Last year, the Board recommended that all complaint resolutions be returned to the centre management for their review. This recommendation was rejected but the minister did state that where the complaint was cross-cutting or affected factors relevant to detention and escorting, the Home Office would consider whether and how complaint responses could be shared to ensure best practice and/or individual wellbeing. The Board has seen no evidence that the Home Office has investigated this.

The Board acknowledges that the very high numbers of small boat migrant arrivals have, at times, provided challenges to ensuring a thorough induction process. These high numbers of arrivals also placed on hold the introduction of a multi-language induction video and the Board has therefore repeated last year's recommendation to Serco.

The Board is pleased to report that the centre has maintained its vigilance in the identification of vulnerable persons and minors.

The Board is pleased to report that the excellent provision in healthcare staffing and depth of services has been maintained.

## **Evidence sections 4 – 7**

### **4. Safety**

A safer detention and violence reduction multidisciplinary team meets every month. Attendees include representatives from healthcare, health and safety, security, the Home Office and the mental health lead. When notified, a representative from the Board also attends. This meeting covers an in-depth look at ACDT statistics, supported living plans, tackling anti-social behaviour, trafficking and modern slavery referrals, policy development and quality assurance. There is also ongoing work to gain residents' feedback through focus groups and exit interviews. The Board considers this meeting an important element towards understanding patterns of need and vulnerability and areas of safer detention that need strengthening.

#### **4.1 Reception and induction**

##### **4.1.1**

The Board continues, where possible, to monitor the reception and induction of detained persons, although this was not possible between January and March 2021 when the Board was monitoring remotely.

##### **4.1.2**

The accuracy of information received on the IS91 forms by the officers in reception was of a poor standard during 2020. This has improved, although there has been a problem with names being incorrectly spelt. During March 2021, three men arrived from Dover with serious burns to their legs, all requiring hospital treatment. These men should not have travelled to Yarl's Wood without having received hospital treatment on their arrival in Dover.

##### **4.1.3**

The housing of men subject to RSTHF regulations has presented the centre with challenges. Several times during the year, the large number of men arriving to be processed has stretched the officers. However, systems to accommodate this have been put in place and appear to be working efficiently. All the men arriving are seen by a member of the health team and are provided with clean towels, bedding, new clothes, shoes and toiletries. The Board has spoken to many of the men about their arrival into Yarl's Wood and their responses have been largely positive. One consequence of dealing with the large numbers is that the induction has been condensed. Pamphlets which are available in 12 different languages are distributed. An induction appropriate for an RSTHF should be in operation later this year. There has been some difficulty with both men and women feeling anxious and sometimes angry at the length of time they have been kept at Yarl's Wood and struggling with the uncertainty. Managing of expectations in a language that will be understood could be emphasised more clearly.

#### **4.1.4**

During a rota visit in October a man was observed as he arrived at the centre. The reception process was thorough. He was offered food and given a health check. A clear explanation was given as to why his kirpan, a Sikh article of faith in the form of a knife, was taken from him. A substitute with a similar religious meaning was presented to him. The man's first language was Punjabi, but his English was very good. The officers worked well as a team, they were calm and treated him in a respectful manner. The thoroughness of this reception raises questions as to how officers can afford the same time when inundated with high numbers of men to process. A representative of the healthcare team acknowledged that it becomes very challenging when they are very busy and men arrive with health problems.

## **4.2 Suicide and self-harm, deaths in custody**

### **4.2.1**

There were no deaths in custody in 2021. There were 16 incidents of self-harm compared to 12 in 2020. Nine of the incidents in 2021 were in July when there was a much higher than average occupancy compared to other months. The Board is aware that some of these incidents were caused by detained persons misguidedly thinking that such acts could enhance their chances of release. It was also noted in two of the Board's rota visits during July that men spoken to said that they were struggling with low mood. This appeared to reflect their anxiety about their experiences whilst travelling to the UK and their uncertain future.

### **4.2.2**

The number of ACDTs opened during 2021 was 92 (71 in 2020). This is 1.3% of the population and very closely mirrors the 2020 percentage (1.35%). The Board's observation from 2020 and 2021 is that with a largely RSTHF population, the percentage of ACDTs is very much reduced compared with previous years, when figures of 7–11% were experienced with a largely IRC population. However, this does not necessarily reflect the mental health of RSTHF-detained persons as very little is known about the mental health or past experiences of the men who arrive via the Channel crossings. Their stay in the centre is often not long enough for officers or health professionals to identify vulnerabilities. This is of concern to the Board, who is aware that there is no guarantee that men released into the community with an unidentified mental health issue will receive the necessary support. The Board understands that any ACDT paperwork only goes with men being moved to another IRC, not with men going into the community. The Board regularly monitors the ACDT paperwork and this appears to be of a good standard and kept up to date. The paperwork is also quality assured monthly by managers at the centre. The feedback from this is positive.

### **4.2.3**

There were 14 incidents of constant supervision during 2021. It is evident that the officers respond confidently to both self-harming incidents and detained persons talking of self-harm. The appropriate support and supervision are put in place in a timely manner. However, higher numbers coming to the centre will make it more

challenging to identify people who are vulnerable and at risk. It may also result in more limited communication to the individual detained persons regarding their situation and the support they can get. Language barriers can also isolate individuals, making it difficult for detained persons to express low mood. The Board has witnessed telephone translation services being used as well as hand-held translation devices, but these also have their limitations.

### **4.3 Violence and violence reduction**

#### **4.3.1**

The centre operates a system of opening anti-social behaviour booklets (TABs). The aim of the TAB is to monitor and reduce tensions and maintain a safe and peaceful atmosphere within the centre. In 2021 staff opened 21 TABs (18 in 2020, 19 in 2019). The highest number recorded in any one month was six during June. This involved four men and two women. There were no reports of violence against staff.

#### **4.3.2**

Following an alleged assault between two detained persons, a member of the Board observed one of the men being removed from association and searched and a plan of action discussed. The removal and subsequent engagement were carried out in a calm, professional and non-judgemental way by the five officers involved. A plan was put in place for a discussion via telephone translation services to try and understand the reason for the altercation, followed by mediation with both the men involved. The alleged perpetrator remained calm.

#### **4.3.3**

Violence and violence reduction has been incorporated into the safer detention meeting held once a month. With the transition of the centre to house male IRC-detained persons there is the expectation that a high number of foreign national offenders will be housed. The men will be locked in their bedrooms at night and there will be added security for anyone entering each unit. Reinforced windows have also been installed along with other measures to try and limit injury.

#### **4.3.4**

There were 1,343 exit surveys conducted between January and December 2021. Only two concerns were raised by detained persons regarding bullying and no concerns were raised through the survey regarding other safeguarding issues.

### **4.4 Detained persons with specific vulnerabilities, safeguarding**

#### **4.4.1**

There were on average 19 supported living plans in operation each month during 2021. Many of these related to detained persons who had health issues making them more vulnerable to Covid-19, together with others relating to detained persons who had other medical issues that needed support.

#### **4.4.2**

There was a total of 31 age disputes during 2021. If there is any suggestion that a detained person is a minor and they have not already been age assessed, they are released to Bedfordshire social services for an age assessment. The assessments are carried out in a timely manner and whilst they are being arranged, the detained person is placed on an age dispute care plan.

#### **4.4.3**

As first responders, DET or Home Office case workers make a referral to the UK's Single Competent Authority (SCA) as part of the National Referral Mechanism framework for identifying victims of human trafficking and modern slavery. During 2021 the centre's Home Office teams referred 118 persons to the SCA (see also section 6.1.2). The Board is concerned that victims are not always identified because of the high numbers of men arriving to be processed at the same time, and because the men are moved within days, officers and medical personnel do not have the time to establish the necessary relationship with potential victims. It is therefore likely that the number of referrals does not reflect the number of potential victims.

### **4.5 Substance misuse**

#### **4.5.1**

Throughout 2021 there were 13 reported cases of detained persons suffering from substance misuse. This is far higher than the total of four reported in 2020 and the increase is far higher than the 23% increase in centre population. The Board is not aware of any substance misuse in the centre; rather the detained persons concerned are arriving with pre-existing issues. It is the view of healthcare that the numbers suffering from substance misuse will rise as the number of men coming from prisons increases.

#### **4.5.2**

Healthcare can conduct routine urine drug screening on new arrivals, but it is not currently mandatory.

#### **4.5.3**

Healthcare runs a detoxification programme and medicines are available from the medicines administration point (MAP). Occasionally detained persons complain that they cannot have their medication when they want, but staff deal with this appropriately.

### **4.6 Use of force**

#### **4.6.1**

Force was used 23 times in 2021. This is an increase from the 11 occasions in 2020. This increase is greater than the 23% increase in detained persons passing through

the centre compared with 2020. Of these cases, 22 were spontaneous and one was planned to assist with removal.

#### **4.6.2**

The reasons for the unplanned uses of force were to prevent harm and to maintain safety. Eight (34.7%) were for the detained person's own safety including to prevent acts of self-harm, four were to protect other detained persons (17.4%), and two (8.6%) were to protect staff. Other reasons for use of force were damage to property, threatening behaviour, and non-compliance with the regime. Uses of force were reasonable and proportionate and incidents are reviewed in the security committee. The Board can also independently review body cam and hand-held video footage of incidents and this was requested on one occasion in 2021. Handcuffs were used on one occasion with control and restraint methods used on the remainder. The centre does not use body belts.



## **5. Fair and humane treatment**

### **5.1 Escort, transfer and transport**

#### **5.1.1**

Escort services have generally been reliable and punctual. Detained persons due to be removed were often first transferred to other IRCs and the centre did not experience the stress of last-minute cancellations that were experienced in 2020.

#### **5.1.2**

The Board did not monitor the few charter removals that were scheduled as there were no removals with significant numbers of detained persons.

#### **5.1.3**

There was a breakdown in communications between agencies with one dispersal that took place in July. The RSTHF-detained persons were due to be dispersed at 5pm and were processed by the departures team. However, their transport did not arrive and the men had to be returned to a unit. The transport eventually arrived and they left the centre in the early hours of the morning.

### **5.2 Accommodation, clothing, food**

#### **5.2.1**

The centre has predominantly held single men and women during 2021. Men and women are housed separately in discrete units and the men held under IRC rules are housed separately from men held under RSTHF rules.

#### **5.2.2**

A shared regime is implemented to allow all detained persons access to the main central activities area of the centre at allocated times. However, some detained persons have mentioned to the Board that if their regime is in the evening outside of normal work hours, they are often unable to contact their solicitors by email as they do not have access to the IT suite during the day. This aside, the schedule has been professionally managed and allowed men from different units and women to be kept apart.

#### **5.2.3**

Emergency clothing packs are assembled and stored in the communication hub. When required, they can be instantly provided to detained persons. This has been invaluable on the many occasions when RSTHF-detained persons had arrived from Dover in wet clothing from having crossed the English Channel in small boats.

#### **5.2.4**

Dining rooms are open on each unit three times a day for meals. However, during Covid-19 lockdown restrictions, detained persons collected meals and ate them in

their rooms to maintain social distancing. Detained persons in isolation and separation have their meals taken to them by staff. Board members have spoken to detained persons during the year and have received positive feedback about the quality and quantity of the food. All meat products are halal. The Board received one application from a detained person about the unavailability of vegan food and this was investigated. A daily vegan menu is available but must be requested by the detained person. Requirements for requesting special meals are explained to detained persons during their induction.

## **5.3 Separation**

### **5.3.1**

There was an increase in the number of cases of separation. In 2021 there were 20 removals under IRC rule 40 and two removals under IRC rule 42 (six and one respectively in 2020). There was one removal under RSTHF rule 35 (five in 2020). There were no removals for mental health issues.

### **5.3.2**

The Board tries to review all cases of separation to ensure that it is justified and to discuss the removal with the detained person if the person so wishes. However, this was not always possible during 2021 when Board visits were suspended due to Covid-19 lockdown. Of the cases reviewed, the Board was satisfied that the separation was justified and that the detained person was dealt with fairly. The Board was notified of all cases of removal.

### **5.3.3**

In 2021, there were fifteen occasions when detained persons were accommodated in the CSU before leaving the centre for removal or transfer to another IRC.

## **5.4 Staff-detained person relationships**

### **5.4.1**

The Board commends the way that staff have managed the challenges of running the centre both during the Covid-19 pandemic and its functional change through the year to a predominantly male RSTHF, and then a male IRC. This is evidenced by the generally good relationships with detained persons in difficult circumstances and the way in which the Covid-19 cases that occurred have been managed and contained. The staff have also had to adjust to the more challenging behaviour of some of the detained persons arriving from prison prior to their removal. However, the staff professionally managed the subsequent challenge of the high occupancy and the large influx of RSTHF-detained persons arriving from Dover, often several coaches at a time and with inadequate information being provided by immigration officers working at the coast. During 2021 the Board did not observe any staff-detained persons relationship issues with the transition of the centre to a predominantly male establishment.

## **5.4.2**

Building trusting relationships with detained persons has been more difficult as those in the RSTHF only stay for a short period. However, in conversations with the detained persons, some said that most staff were kind and helpful. Use of force and separation numbers have increased since 2020, and it remains to be seen if this trend continues with more detained IRC men arriving from prison. The Board continues to observe that there is a generally positive culture in the centre.

## **5.5 Equality and diversity**

### **5.5.1**

The centre has an equality, diversity and inclusion team (EDI team) and a Serco-produced EDI action plan. One of its aims is to promote an environment where both staff and those detained understand matters relating to EDI and strive to promote behaviours free from discrimination, harassment and bullying.

### **5.5.2**

In the action plan, some consideration was given to the impact of the centre's re-role to ensure that residential units would be suitably equipped for the needs of their new occupants.

### **5.5.3**

There is a designated officer for each of the protected characteristics and their names are clearly displayed so that people know who to contact. Throughout the year the RIAC (resident information advice committee) held meetings to focus on protected characteristics, including LGBT and disability. Unfortunately, because of Covid-19 the number of focus groups that could take place was reduced this year.

### **5.5.4**

The centre has also continued to run forums to allow different nationalities to raise issues relevant to their needs. The transitory nature of those in detention means that the forums were not always well attended, but they were offered to ten different groups from four continents.

### **5.5.5**

Despite the relatively rapid turnover of those in detention, the centre has organised a series of events including health awareness weeks (to coincide with national Public Health England events), National Epilepsy Day, Suicide Prevention Day, Pride and Black Lives Matter awareness. The centre has also promoted different cultural events and celebrations throughout the year.

### 5.5.6

The opportunities for paid employment were taken mostly by the younger persons in detention, although this may reflect the ages of those arriving. The gender and ethnicity of those employed also correlate to those of the persons detained at the centre. It is likely that most of those employed were held under IRC rules, not RSTHF rules.

<b>Age of those in paid employment</b>	<b>Total</b>	<b>Gender of those in paid employment</b>	<b>Total</b>	<b>Nationality of those in paid employment</b>	<b>Total</b>
18–29	6	Male	14	Albania	5
30–39	5	Female	6	Iran	3
40–49	8			Philippines	2
50–59	0			Others (1 each)	10
60+	1				

### 5.5.7

The centre has coped well with people with disabilities. Measures were swiftly put in place when required to allow those with reduced mobility to access the centre by wheelchair. When a woman with a substantial hearing impairment arrived at the centre, clear advice and strategies were put in place to enable communication and to protect her in the event of an emergency incident.

### 5.5.8

The Board feels that, at times, the centre has coped less well with language issues. During rota visits, it became clear that a lot of people, particularly the men arriving from the south coast to be detained in the RSTHF did not really understand where they were, why or what would happen to them next. The use of handheld translation devices was trialled, but internet connections in the centre made their use unsatisfactory. Staff had to resort to Google Translate for quick conversations and have had to make greater use of telephonic translation services. The Board questions why information about the procedures they were to experience was not clearly explained to them before they left the south coast and were sent to the centre.

### 5.5.9

The Board received no applications about EDI issues and is not aware of any discrimination incident reporting forms (DIRFs) submitted in 2021.

## **5.6 Faith and religious affairs**

Spiritual support and counselling are provided by the religious affairs team with representatives from all the main faiths. Individual prayer rooms are provided for all the main faiths, but these have been closed for periods during the year due to Covid-19 restrictions. Religious services have continued however, with adjustments made to accommodate worship with social distancing.

The religious affairs team has reported that now the centre is operating with individual periods of access to shared facilities for each unit, it is not possible to facilitate communal worship for all detained persons. This has resulted in the Christian minister having to visit units that do not have access to the prayer room to conduct services. Conducting Friday prayers for Muslims is more problematic as the religious affairs team only has two imams available to cover multiple units.

## **5.7 Complaints**

### **5.7.1**

Detained persons can make formal complaints about their dissatisfaction with the service provided or about the professional conduct of Home Office staff and contractors. Complaints are made using a DCF9 form. These are available in all the major languages without recourse to staff. All complaints are sent to detention services complaints (DETSC) where the complaints are categorised as service delivery, minor misconduct or serious misconduct. Service delivery and minor misconduct complaints are sent to the appropriate agency for investigation and serious complaints are sent to the professional services unit (PSU), which is a separate unit within the Home Office. Service delivery and minor misconduct complaints can be sent to the following agencies: Serco, detention and escorting services (DES), central correspondence team (CCT), Border Force, HMIP and Mitie. To the best of its knowledge, all DCF9 complaint forms are sent to the Board, provided the complainant does not indicate that they do not want the Board to be informed. The Board is not aware that any complainant refused permission for the Board to be informed. Healthcare has its own complaints system and for reasons of patient confidentiality, the Board does not see or monitor this complaints system.

### **5.7.2**

There was a total of 27 complaints submitted on DCF9 forms and one by email. Some complaints covered more than one issue and the complaints contained 34 issues in total. Most were handwritten in English and some required translation to English and were then received typewritten. Two complaints were referred outside the centre, one to the PSU and one to the CCT. The complaint referred to the PSU was made to the centre but did not concern the detained person's treatment at Yarl's Wood, rather their treatment during transfer by the escorting agency. The complaint referred to the CCT also concerned the treatment of a detained person outside the

centre. Complaint management is regulated by detention services order 03/2015 setting out standards for timing and replies, and complaints should be responded to within 20 days, except those referred to the PSU which should be responded to within 12 weeks.

### **5.7.3**

Of the 25 complaints submitted to DES, six were withdrawn, four were partly substantiated, one was fully substantiated and 14 were unsubstantiated. The Board has been unable to ascertain the outcome of the PSU and CCT complaints and cannot determine whether the investigations were concluded within the 12-week period allowed. All in-centre investigations were completed within the 20-working days period allowed.

### **5.7.4**

The DES complaints team provides the Board with a monthly report of the complaints referred to it, detailing the case reference number, type of complaint, date the complaint was received, date of response to the complainant and whether it was within the required time, and the outcome. Most, but not all, complaint and response correspondence was sent to the Board, and communication of DCF9 documentation to the Board has been inconsistent in timing, format, content and to where the information was sent. The Board has had to rely on the services of its clerk to track documentation in several cases and this has limited the accuracy of the Board's complaint monitoring. The Board recommends the introduction of a comprehensive complaints-tracking database that is accessible to agencies at the centre.

### **5.7.5**

The content of replies to complaints are formulaic, however the structuring makes the replies easy to understand. The Board has the opinion that all replies to complaints that it has seen have been thoroughly investigated and dealt with fairly.

## **5.8 Property**

### **5.8.1**

There have been issues raised by some men who have been transferred from the Dover RSTHF arriving at the centre without their property. In these cases, the welfare officer is used to help them contact the Midlands Intake Unit (MIU) and Kent Intake Unit (KIU) to try and locate their missing property.

## **6. Health and wellbeing**

### **6.1 Physical healthcare**

#### **6.1.1**

All detained persons are offered a screening by healthcare in reception on arrival to the centre and before they leave the centre. All IRC-detained persons are offered a doctor's appointment within 24 hours of their arrival to the centre. All RSTHF-detained persons are given an appointment to see a doctor if the screening nurse on arrival deems there is a reason for this. GP appointments are available daily and the healthcare service is staffed by male and female GPs and 11 general nurses. This provides a primary care service and a range of preventative care services such as HIV testing, hepatitis B and C screening and drug misuse clinics. Appointments have been available on a same-day basis for most of this year and during 2021 there were 2,788 doctor appointments and 4,428 nurse appointments, 7,216 appointments in total (7,790 total appointments in 2020). Healthcare received seven complaints during the year, all of which were rejected. The Board welcomes the continued high level of service provided by NHFT.

#### **6.1.2**

IRC rule 35 and RSTHF rule 32 medicals relating to special conditions such as torture and other conditions that would be particularly aggravated by detention, normally have a two-day waiting time. During 2021, 201 rule 35 and rule 32 examinations were made and resulted in the release of 131 detained persons (134 assessments and 70 releases in 2020). The data provided does not differentiate between rule 35 and rule 32 cases. The Board is also aware that some rule 32 assessments were identified and booked but were missed as the detained person left the centre before their assessment. These missed appointments could affect any future asylum claims. Following a recommendation by HMIP, healthcare has introduced raising an IS91 part C in these cases from September 2021, so that the Home Office is aware the detained person has requested a referral and it could not be completed at the centre. There were 108 IS91 part C forms sent to the Home Office between September and December 2021. Feedback about the outcomes of assessments is not available to healthcare, making it impossible for them to monitor the quality and outcomes of the initial report.

#### **6.1.3**

A dentist attends once a week and there were 154 appointments in 2021 (195 appointments in 2020). All medication is given out by pharmacy staff but is dispensed by Boots Chemist.

#### **6.1.4**

There have been 26 substance misuse appointments, and other preventative activities included breast and testicular cancer awareness, smoking cessation and mental health and wellbeing.

#### **6.1.5**

There are adequate single-person rooms for Covid-19 and other infectious disease cases that require isolation and do not require hospital admission.

There were 913 detained person LFTs undertaken in 2021. Of these, 93 detained persons were isolated due to suspected Covid-19 and further PCR-tested, resulting in 17 positive and 76 negative results. To the best of the Board's knowledge, there was no in-centre transmission of Covid-19 in 2021 and all cases were among detained persons arriving at the centre. During 2021, the Board was therefore concerned that patients with Covid-19-related symptoms were being transferred to the centre and having to be isolated on arrival at Yarl's Wood as opposed to staying at their original location. One patient transferred from another secure unit was Covid-19 positive.

#### **6.1.6**

There has been regular LFT testing of Serco and Home Office staff, contractors, legal, social and other visitors throughout the year, and centre staff have also taken PCR tests since the beginning of September. During the year a total of 2,044 LFT and PCR tests were completed for this group. There was no accurate recording of the number of positive cases.

#### **6.1.7**

During 2021 there were 494 healthcare staff LFTs undertaken, of which none were positive, and 213 healthcare staff PCRs undertaken, of which two were positive. Healthcare did not test Serco, Home Office staff or visitors and these tests were undertaken by Serco.

### **6.2 Mental healthcare**

#### **6.2.1**

There is 37.5 hours of psychologist and 37.5 hours psychologist assistant time per week, adding to the existing two full-time mental health nurses.

#### **6.2.2**

There were 79 initial mental health assessments (MHA) with a total of 549 MHA appointments in the year (350 and 878 respectively in 2020). No detained persons were transferred to psychiatric hospital for section under the Mental Health Act (one in 2020).

### **6.3 Welfare and social care**

The welfare team engage with all residents on arrival and prior to removal directions (RDs). Their focus is to ensure that on arrival residents are aware of the legal aid solicitors that they can contact.

### **6.4 Exercise, time out of room**

IRC-detained men are locked in their rooms at night and at other times are allowed free access within units. RSTHF-detained men and IRC-detained women are not locked in their rooms and are allowed free access within units. During the year, despite the Covid-19 pandemic, Serco has managed access to the central activity provisions to ensure all detained persons are able to have time out of their units and



access to the common facilities. The gymnasium and exercise facilities were available for most of the year, apart from when they were closed in line with community guidance.

## **6.5 Soft skills**

### **6.5.1**

Activities available include arts and crafts, library, cinema, hair salon, cultural kitchen and wellbeing. However, arts and crafts, the cinema, cultural kitchen and hair salon have been closed for much of the year due to social distancing requirements.

### **6.5.2**

Yarl's Wood Befrienders services are promoted at welfare inductions and they visit the centre to provide support to detained persons. During lockdown restrictions they provided remote support using phone calls.

## **7. Preparation for return or release**

### **7.1 Activities including education and training**

Education has continued to be provided to the detained persons throughout 2021. Due to the centre being in various forms of Covid restrictions during the year and the transition to a predominately male establishment, education has been a challenge. The teacher had been proactive in trying to get more residents to engage in the classes, but as RSTHF-detained persons only have a short period of residence, this was a challenge. Evidence indicates that there is much better take up in education by IRC-detained women than by men detained in RSTHF. In addition, male IRC-detained persons who arrive from prison are reluctant to participate in lessons once they learn that they will not be paid for attendance, as they were in prison. This was witnessed first-hand by an IMB member. When numbers were high, the teacher said that she would get about a dozen students but overall, the number attending classes has been very low.

### **7.2 Case management**

#### **7.2.1**

The Board welcomes the improvement in information provided to detained persons. They are much better informed about RDs, and escorts have been more punctual. They have been informed where possible about cancelled charter removals and the overall improvements in communication have reduced stress for detained persons.

#### **7.2.2**

DET drop-in surgeries for IRC- detained persons were suspended for a time due to Covid-19 restrictions but detained persons were able to contact DET by telephone. Once lockdown restrictions were lifted, DET resumed surgeries in the units. For RSTHF-detained persons there is no asylum engagement onsite and there is no legal advice surgery. Asylum assessment, where undertaken, was made by telephone and did not allow for visual assessment. This reinforces the Board's concern that vulnerable adults and minors may not be properly identified. Welfare staff provide detained persons with contact details of solicitors.

#### **7.2.3**

At the beginning of November, the IMB member on duty spoke to an ex-prisoner who had been held well beyond the end of his sentence, both in prison and at Yarl's Wood. He was eager to return to his own country and claimed to have signed documents agreeing to a voluntary return. His case had not progressed and the continued uncertainty surrounding his case was beginning to affect him. The Board was told that the delay was because he had no travel document, but it transpired that no travel document had been applied for. Even after one was requested, the delays continued and the man told the IMB that his caseworker did nothing to help him, so he seemed to be stuck in the centre. The Board followed this up every week, but still felt that this man's case was poorly managed.

#### **7.2.4**

During the year, 6,427 male detained persons left the centre; 194 were removed from the UK, two were granted leave to remain, 6,226 were bailed and five left for unspecified reasons. Eighteen men were detained for between two months and less than four months, eight men were detained for between four months and less than six months and five men were detained for between six months and less than 12 months. A total of 6,174 men were detained for less than seven days before being removed, bailed, granted leave to remain or leaving for unspecified reasons.

#### **7.2.5**

During the year, 269 female detained persons left the centre: 120 were removed from the UK, three were granted leave to remain, 143 were bailed and three left for unspecified reasons. Five women were detained for between two months and less than four months and one woman was detained for between six months and less than 12 months. A total of 104 women were detained for less than seven days before being removed, bailed, granted leave to remain or leaving for unspecified reasons.

#### **7.2.6**

Length of detention data relate to the entire detention period in the estate and not just the length of detention in Yarl's Wood. It is not possible to compare the 2021 data with 2020 due to the high number of male RSTHF-detained persons and the transition of the centre to a male IRC with just a small women's IRC unit.

### **7.3 Family contact**

During 2021, in line with government guidelines, the centre had to suspend social visits. During this time, detained persons continued to have access to mobile phones and to mitigate the absence of social visits, all IRC-detained persons received an additional £10 phone credit and all RSTHF-detained persons received an additional £5 phone credit each week. Detained persons have made good use of the Skype facilities in the library, and this has been invaluable in helping them stay in touch with family and solicitors.

### **7.4 Planning for return or release**

#### **7.4.1**

Prior to leaving the centre on removal directions, all IRC-detained persons are given an appointment with the welfare team. This allows them an opportunity to discuss any concerns they may have regarding their return so support may be given to help them plan their return. During this time referrals may also be made to Hibiscus for resettlement advice and potential funding.

#### **7.4.2**

Upon removal, IRC-detained persons are seen by healthcare and given a copy of their medical notes, and their medication is handed over. Anyone on medication or

with health concerns will also be given a letter to help them register with a local GP. Detained persons are also given a copy of their release paperwork from HOIE.

### **7.4.3**

There was one incident in June when the Home Office tried to release a man without a consultation and without appropriate processes followed for methadone dependency. In August a resident was released without having been seen by healthcare.

In June a detained person was released from the centre and was subsequently sectioned under the Mental Health Act on two occasions in quick succession.

No criticism is made of the agencies at the centre regarding these cases, but it does emphasise the vulnerability of some persons detained at Yarl's Wood. Consequently, the Board emphasises to the centre the need to adhere strictly to the correct procedures prior to a detained person's release.

### **7.4.4**

Detained persons' property is returned to them on release and either transport is arranged to take them to their destination or a travel warrant is provided.

### **7.4.5**

The Board has noted that there have been cases during the year when detained persons arrived from prison some months after their sentence had expired and they then had to wait for a considerable time to be removed. This was often caused by their passports having been lost or expired and they therefore had to wait for new travel documents.

As the centre saw at times a very high number of male RSTHF arrivals, there were sometimes logistical issues with processing the large number of men leaving the centre. This was mitigated as necessary by using the social visits hall, which has ample space, as a departure facility.

### **7.4.6**

When RSTHF-detained persons are released, their health records are normally sent to a GP surgery assigned to their destination address. However, on occasions, RSTHF detained persons have been released without healthcare being notified of their address and it has not been possible to forward their details to a GP surgery. In these cases, the detained person is given a summary letter to give to a GP. This was a significant issue at the peak of arrivals of small boat migrants. There was insufficient bail accommodation available and some people had to be sent to hotels or barracks as a temporary measure. Inevitably, this delayed registration with a GP, thereby delaying access to essential healthcare.

#### **7.4.7**

Where Serco can predict a detained person's release date, daily individual needs meetings can raise these concerns for healthcare to follow up with the detainee escorting and population management unit (DEPMU).

#### **7.4.8**

The Board is concerned that RSTHF detained persons released into the community with specialist healthcare needs may sometimes not get the immediate and necessary care that is required.

In May, a male RSTHF resident was granted leave to remain in the UK. During his detention, he had refused to engage with Serco, the Home Office or healthcare staff. The opinion was formed that he was overwhelmed by events but he was assessed by healthcare as not being mentally ill and he was signed off by the Home Office and healthcare as fit to leave. Transport to accommodation in London was arranged for him but he refused to leave and refused all help and support. Eventually he requested to leave and walked out of the centre with no transport to collect him. He appeared the next day in Clapham (Bedfordshire) where he was passed on by police to the community health team. Neither the Board nor any of the centre agencies know how he made his way to Clapham. The Board acknowledges that this person could not be detained further at the centre as he was in the UK legally. The Board also acknowledges that the agencies at the centre acted in good faith towards this man and in accordance with their procedures. However, the Board is extremely concerned that this man, who very obviously presented as a vulnerable person, could be allowed to leave the centre with no transport, no means of support and no knowledge of where he was going. The manner of his departure could have ended with tragic consequences. The Board recommends that in cases such as these, the centre has procedures in place to contact external agencies which may be able to help and could provide suitable assistance in such cases.

## 8. The work of the IMB

Monitoring has taken place either remotely or, when Covid-19 restrictions permitted, the Board made weekly rota visits where it monitored the Centre and dealt with applications. Issues have been raised immediately with Serco, HOIE or healthcare, or during monthly Board meetings, as appropriate. Members have attended committee meetings within the centre when possible or participated remotely by video or telephone conference. Members have also been present at multi-disciplinary reviews to ascertain the best care plans for detained persons.

### Board statistics

Recommended complement of Board members	12
Number of Board members at the start of the reporting period	9
Number of Board members at the end of the reporting period	8
Total number of visits to the establishment	114

## Applications to the IMB

Code	Subject	Previous reporting year	Current reporting year
A	Accommodation including laundry, showers	1	0
B	Use of force, removal from association	0	0
C	Equality	0	0
D	Purposeful activity including education, paid work, training, library, other activities	1	0
E 1	Letters, faxes, visits, phones, internet access	0	0
E 2	Finance including detained persons' Centre accounts	0	0
F	Food and kitchens	1	1
G	Health including physical, mental, social care	7	0
H 1	Property within Centre	2	0
H 2	Property during transfer or in another establishment or location	0	0
I	Issues relating to detained persons' immigration case, including access to legal advice	11	2
J	Staff/detained person conduct, including bullying	4	1
K	Escorts	0	0
L	Other	0	1
	Total number of applications	27	5

### 0800 number and email applications line

The Board received four calls to the 0800 number.

Of these, two were from callers who had selected the incorrect option from the initial menu (so did not relate to Yarl's Wood) and one was from a Yarl's Wood resident, but on behalf of someone held in one of the prisons. Only one was from someone detained at Yarl's Wood.

The Board received no email applications.



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