

Home Affairs Committee

Oral evidence: [Immigration detention](#), HC 913

Tuesday 20 March 2018

Ordered by the House of Commons to be published on 20 March 2018.

Evidence taken partly in private and partly in public.

Members present: Yvette Cooper (Chair); Rehman Chishti; Sir Christopher Chope; Stephen Doughty; Kirstene Hair; Sarah Jones; Tim Loughton; Douglas Ross; John Woodcock.

Questions 1-174

Witnesses

In private:

[I](#): Janahan, a former detainee in Harmondsworth and Morton Hall who now has refugee status, Voke, a former Yarl's Wood detainee who is currently seeking asylum, and Afiya, a former Yarl's Wood detainee who is currently seeking asylum.

In public:

[Watch the meeting](#)

[II](#): Kris Harris, Policy and Research Worker, Medical Justice, Gemma Lousley, Policy and Research Co-ordinator, Women for Refugee Women, and Tom Nunn, Legal Manager, Bail for Immigration Detainees.

[III](#): Rupert Soames, CEO, Serco Group, Julia Rogers, Md Justice and Immigration, Prison Service, Phil Wragg, Prisons Group Director for Kent, Essex, IRCs and FNPs, HMPPS, and Karen Head, Centre Manager, Morton Hall.

Written evidence from witnesses:

- [Women for Refugee Women \(IDD0001\)](#)
- [Bail for Immigration Detainees \(IDD0002\)](#)

Examination of Witnesses

Evidence taken in private:

Witnesses: Janahan, Voke and Afiya.

Q1 **Chair:** Thank you for coming to talk to us. We really appreciate it. We want to hear your experiences. What I am going to do is ask the Committee to introduce themselves and ask you to introduce yourselves as well, if that is okay. I have to begin the Committee meeting, just because it is our formal processes, by saying, "Order, order". We are opening the Committee session. My name is Yvette Cooper. I am the Chair of the Committee and we are very grateful for your time.

Stephen Doughty: I am Stephen Doughty, MP for Cardiff South and Penarth. We have a number of asylum seekers and refugees living in my community so I have dealt with many similar cases before.

John Woodcock: I am John Woodcock. I am the Labour MP for Barrow and Furness in the north-west of England.

Douglas Ross: I am Douglas Ross, the MP for Moray in the north-east of Scotland.

Sir Christopher Chope: I am Christopher Chope. I am the MP for Christchurch.

Rehman Chishti: I am Rehman Chishti. I am the MP for Gillingham and Rainham in Kent.

Kirstene Hair: I am Kirstene Hair. I am the MP for Angus, also a north-east area of Scotland.

Tim Loughton: I am Tim Loughton. I am the MP for East Worthing and Shoreham in Sussex.

Sarah Jones: I am Sarah Jones. I am the MP for Croydon Central, so I have Lunar House in my constituency, which you might have visited at some point.

Q2 **Chair:** Carol and Phil are the clerks to the Committee as well. We want to hear your experiences, but if there are any questions that you are uncomfortable with answering, just say so. If you want to get any further support in answering the questions, then by all means say so. What we would like to hear is what your experiences of detention have been and anything you think we should be aware of before we take evidence from Yarl's Wood and Morton Hall. Janahan, do you want to start? Have I pronounced your name right?

Janahan: Janahan, yes.

Chair: Please do introduce yourself and tell us as much as you want to about yourself and then about your experience.

Janahan: Okay. My name is Janahan. I am a torture survivor from Sri Lanka. I was captured and tortured in Sri Lanka when I was 17 in 2009. I



HOUSE OF COMMONS

ended up in the UK in 2010 having no knowledge of asylum or anything. I ended up attempting suicide in London. With the help from a treatment team I was put through the asylum process.

The first problem was I did not know anything and all that the people at the Home Office asked was, "What happened?", like, what did I have to endure in Sri Lanka. They kept repeating. They did not have any knowledge of how to ask the sensitive questions. They asked me, "How many people tortured you and what were they wearing while they were torturing you?" Those were the questions. It recalled what I experienced in Sri Lanka, which made me really scared.

I never developed the trust within the first meeting with these Home Office people. I had no idea about how to tell. I never spoke English before, so it was through an interpreter. At the first instance, the interpreter was different. He was Tamil but a different dialect. I told them that I could not really understand him properly and he was kind of rude. He also spoke broken Tamil, how the Sri Lankan army spoke while they tortured me. So, I refused to go for the interview and refused everything.

This all put me back into the situation of what I had been through, my torture period, and I did not have anyone to share or anything. This made me like, "I do not want to face these people again and again". I had no place to stay. I was homeless for a while. I got this friend and moved away, just to get away from everything because they frightened me. I do not know why they do not understand anything, but questions like, "How did they torture?" are not straightforward to answer. There are certain stigmas we have grown up in, being a Tamil. Getting tortured in a sexual way, I am not ready to share anything. It was like some burden, some chain. The Home Office just asked me, "Describe that, describe that". I cannot describe anything. It is just memories captured everywhere. I try to explain it. It is the vulnerable thing that made me run away.

In 2014, because of these private solicitors and all this case, I was not allowed to work and I was not fit to work. That is the main reason. They would keep asking me for money and I was not given advice about legal aid. I ended up having no contact with the solicitor so I did not know what happened with my case.

In 2014 I was fed up with my life. I used to lock myself in the room just to spend the days trying to relieve the expenses to everyone, my friend who was looking after me. I would eat one meal a day or sometimes not even that. I would self-harm. All I would do is self-harm to get rid of everything that is running through my mind because I was afraid to get therapy and everything at that time.

Eventually, in 2014 there was a small problem and the police wanted to meet me at the police station. I went in. That was not a problem. The problem, they said, is nothing, it is just fine, but they detained me saying I am staying on an expired visa. I told them there were some procedures



HOUSE OF COMMONS

going on like asylum or something, but they had no clue. They put me in the police cell for one and a half days and they said, "Immigration will come and take you to detention". It took me a while, from 29 June. On 1 July they put me in Morton Hall. As soon as I entered, I felt—

Q3 Chair: Sorry, which year was that?

Janahan: 2014. As soon as I entered, I told them through every stage in detention, like with the first nurse. They did not actually do much. They put me in a room. They locked me in. On the first day I arrived late, so they said, "The dinner is served. We do not have any food". I said, "Okay". They put me in the room and it was 8 o'clock or something. They locked me in and I rang the bell. I was like, "Can I have something to eat?" They were like, "No, it has all been served and all been sent back. You cannot have anything until the next day morning". This is the first day.

Since I was alone in the room, all I heard was locking of doors, walking, the key chains, the walkie-talkies. It was taking me back to what I used to have in my memory because those are the things I used to recognise when I was abducted by the Sri Lankan army. It just took me back to Sri Lanka again and again. I told them, "This is what it is, this is what is happening. Can you please—" They opened this ACDT file because I had attempted suicide a couple of times before that. They opened this orange file and they said they wanted to hear my story. I was afraid to say it before, but I eventually started saying, "Okay, this is what happened, so I am afraid to stay in the dark and you are locking me up in the cell and all this. This is bringing back my old memories and I don't even get out of the room".

After the induction wing, they transferred me to the main building. I did not even come out of the room. I was afraid. I kept telling them, "This is what is happening. This is why I couldn't cope with it". After a couple of weeks I had a mental health nurse appointment and everything. It was just me isolating myself and I kept repeating again and again, "This is how I feel. I feel terrible. I just feel like dying". I started hating myself. I just started burning myself because I could not bear it. I told them. While burning, the mental health nurse came to know this and they said it is my coping mechanism. They did not want to address it. They were like, "You can keep burning. It is your coping mechanism". That is how they treated me there.

The detention officers would come and knock on my door and say, "How many did you do this time?" It is like fun for them. It is like I am burning myself and they were like, "How many did you do?" They were just mocking me, "How many burns?" It is like I am burning myself every single minute just to bring myself to reality. I told them, "This is what it is".

Then I went on a hunger strike. On my 10th or 11th day, I do not remember, I was in for a review. I was in this medical bay with a



HOUSE OF COMMONS

detention officer and met some nurse. The detention officer said to me that somebody died in detention. This was in September 2014. A Bangladeshi guy died in detention. I did not know. He said it would be me next time. The next one to die in detention would be me. They threatened me because of my hunger strike. I didn't know what was happening. I was so afraid. Okay, why this? They did not want to hear anything. They just threatened me. They just want to stick to their jobs, just to make me eat so that they are safe. It is not about addressing my problems. That is how they treated me in that time.

Then a big riot, people started breaking everything. I was so afraid. I have seen enough violence. We begged them, me and another three Sri Lankans, "Can you please let us sneak out because we don't want to see this?" I could not bear it; we could not bear it. They were like, "No, we can't let you in. You all belong to one, so we can't let you in until the riot police enter". We could visually see the people out gearing up with black masks and dogs and everything. At that time we knew, I knew personally, there were vulnerable people in detention with convicted criminals. They said that publicly at that time, "You have to be there, you have to deal with it. Go to one room and lock yourself in there". That is how they dealt with us. We begged them, "I don't want to go in that position".

We get into there. The riot police swarmed in. They just smashed everyone, whoever was in the way, with their shields and tackled them and everything. They put these crackers in every corridor. It just frightened me because we have seen enough. I have seen through enough of this and it just builds up memory. I lost the reality. They locked the room and they physically dragged three of us into different rooms, individual rooms, and locked us in. For those two or three days, they did not let us out. If we wanted to go to the toilet, we were accompanied by staff. If you wanted to pass urine, you had to use the sink.

Following that, still I was not eating so I did not have the chance to use the toilet at all. These detention staff would bring me food, just laughing at me, me sleeping. I would bury my head inside the pillow because I do not want to face anyone. People are being bullying, "He's acting", this and that. They did not really understand the depth of it and I was tired of explaining. They would leave the food and the food would get bad. They would say, "Oh, this is going to get bad as well". It is like a chatting, funny room for them. I am just suffering to get myself into reality, burning myself, and this is how they are.

Then the Home office got me into a room. They said they wanted an interview. They got me into this room and they issued me a consent form that said, "Even if you fell ill or if you are about to die, we will put you on a drip and deport you on a military plane". They threatened me to sign it; if not, they said they will do this forcefully. I was like, "No, I am not going to sign it. I will die here because I know what will happen if I go back". I



HOUSE OF COMMONS

have been through and I have lived through what I endured in Sri Lanka. They said, "It doesn't matter about your signing, we do not need consent, we will still deport you". It is more like no consent needed for the Home Office to apply any policies, they just forcefully apply it, they say, for the betterment of people.

I stayed in detention in Morton Hall as well as Harmondsworth. Harmondsworth is much worse in a different way. One hundred and fifty-odd days I lived there, but the torture I endured in 10 days I lived in the 150 days, every single day, all those 10 days every single day. I tried to explain to them, "This is how you bring back everything, the memories". I am trying to cope over this. They keep repeating the trauma and the memories are like cancer. You can control it with therapy but you cannot cure it. Being mocked on, things like that, the violence; these convicted people would dominate. Once I tried to find a toilet, because they employ detainees to clean them but sometimes our wing never got cleaned. I tried to find a toilet, so I walked into this wing. These thug-like people said, "If you ever walk into this mopped floor"—I was walking on the one side—they said, "If you ever come into there we will beat the crap out of you". That is how they dominate. Even in the shop, if you are in the queue, they just push you, "Get out". They just walk in. It is threatening. I have to fight with my memories and with my everything and this as well. It is just in the locked way.

When I was given the deportation order in September, they put me in a room, in a visiting room in the main building, and they packed everything. I think I went into a room about half 12. They took me straight in. There were five people to escort me to Harmondsworth. I think they loaded me into the van about 2 o'clock. At that time I started eating because Medical Justice is the only charity that agreed to do a medical report. I explained that this is what it is and I don't know what to do, so because they agreed that they are going to do a report, I started eating. Then the Home Office issued me the deportation order.

At 2 o'clock they brought me in the van to bring me to Harmondsworth. They did not drop me until 2 o'clock in the morning. I asked them, "Can I use a toilet or anything?" They said, "No, we are not allowed to let you out of the van". There were five people and they did not bring any food or anything. They said, "You are on a hunger strike". Those people are talking bad Tamil words. I do not know how they learned them or whatever, but they are Indian people speaking Tamil. They are speaking totally bad words and just mocking me, "You Tamil Tigers are really stupid, do stupid, crazy things". For nearly 12 hours I heard that. That is how I was treated in the transportation van without even letting me use the toilet for 12 hours.

In Harmondsworth I told them I have an ulcer so I asked them, "Can I take a yoghurt to my room because I get my stomach burn all the time?" My medical records had not been sent to Harmondsworth. Until I got released, they do not have it. This detention officer said, "Eat it now or



HOUSE OF COMMONS

put it in the bin". He did not let me take any food, anything at all. I told him, "This is what it is". Even if you ask for paracetamol or anything, they would say, "Wait until the medical thing is open". You wait until 2 o'clock or 12 o'clock sometimes, and you go there and that man would say, "Go back to your wing office". They would send you back and forth just to see what you do.

In a couple of instances I have been asked to translate for a Tamil man who is in a segregation cell, like, tearing his skin off. He was full of blood. I was struggling myself. I could not even get myself out of reality and they asked me to translate for him. These people were calling him names, like "actor", this and that. They were saying horrible things for me to translate to him, but I did not want to do that. I know that he had been through what I had been through, so I do not want to do that. In that position, they do not want to get an interpreter inside the segregation cell. It was me who translated it. That put me in the worst situation ever because I had to live it. I still remember that. Those days, with Mitie and Serco, it is still living with me. Whatever I see outside, it just makes me afraid. It just scares me to death: why?

Q4 **Chair:** How long were you detained altogether?

Janahan: First in 2014 I was there for five months, from 29 June until 20 November. I applied for bail. They refused everything, but they temporarily released me for nothing on the 20th. Then I was redetained on 1 June 2015 and I was released within five days because I had this campaign going on. People signed for me to be released and I had this support. The Home Office called me into a room and said, "You have to ask them to stop calling. You have all the facilities to live here. You should stop them, write them", in a threatening way. I said, "No, you have to deal with it". Because of that, they released me.

Q5 **Chair:** Janahan, do you have humanitarian protection now?

Janahan: They issued me discretionary leave last year. They accepted that I was tortured and everything. After doing all this, why can't they do this before? Then the court agreed; they issued me refugee status this year.

Q6 **Chair:** Thank you. I am going to ask if the other Committee members want to ask you any questions in a second if that is all right. Afiya, could you tell us how long you were detained for, when you were detained and what your experience was?

Afiya: Sorry, I did not get that.

Chair: Can you tell us your experience, including when you were detained and how long for?

Afiya: I was picked up in September and I stayed in detention for five months and three weeks. I was picked up by police after they had come to check the house, which was not wired properly. Because I was



HOUSE OF COMMONS

struggling with where to sleep, a friend of mine got for me a house to sleep but it was not in good condition. Then later I was put in a police cell for six hours, and later I was taken to Colnbrook, where I stayed for four days.

Then I entered Yarl's Wood. When I entered Yarl's Wood, I thought it was a removal centre. I had that in my mind, but I thought it was going to be for a short while. But a short while turned to months. For months things went bad. I put an application in, a fresh claim, which was dismissed after four days.

Before that I approached healthcare to tell them the experience since I have been locked in at Yarl's Wood, how I was feeling. I started feeling suicidal thoughts, my memory of rape, torture, how I was beaten in Uganda because of my sexuality. I went to healthcare to tell them how I was feeling. I was put on ACDT watch. That is a suicide thing. After a week on those checks, I told them I was not comfortable because men kept on coming, even not knocking at the door, and each time I am so afraid. I freak out when I see a man in my room. But they did not listen. I went to the manager, telling her, "This is how I feel". Then the situation went worse and I reached a point I cut myself. I could not bear the checks, the night checks. All my memories of torture were coming back.

When I cut myself, officers came, six of them, and they gathered around me. I told them, "I'm not comfortable with this. Can I at least have fewer around me?" When I was taken to the unit office, one of the officers was like, "This one is worse than others". Then deep in my mind I was like, "Which kind of people am I living with?" because I did not expect an officer to raise such a question that I am worse. I know I am going through a bad situation but I did not expect an officer to say that. Then when they asked, "Why did you do this?" I thought, "These people do not want to listen". I could not even understand what they wanted because if someone could raise such a question, I was just testing myself if I am still feeling normal, but deep inside my mind I was, like, I need this thing to stop.

Because when you are in detention, when you are in Yarl's Wood—I will give an example of Yarl's Wood because that is where I have been—you are in prison. Leaving your country, you are running away because you do not want to be in prison, and you are put in a place where you see bad things happening, officers acting weird towards others, officers gossiping about others, day in, day out. When you approach healthcare, they say, "This one is pretending. Why are you not doing this?" They want evidence. I remember one day there was a lady who approached healthcare. I was there. She told the nurse, "I hit my head and I feel funny". Then she told her, "How do you know that you hit your head?" I was like, "Even a four year-old knows that they have hit their head".

When I went to the mental health nurse to tell him what I was going through, he said, "When you came to the UK, did you know that you are



HOUSE OF COMMONS

going to stay?" I am like, "My case is not about my health. I am approaching you because I am going through a hard time in detention, but the questions you are asking me, those are immigration issues". At the end of the day, even the health department is an extension of the Home Office. For me, that is how I see it.

Q7 **Chair:** Did you hunger strike?

Afiya: I did. I was involved in a hunger strike, and after two weeks I received a letter from one of the officers in the Home Office. When I went for that interview—because there was an interview about, "Why are you not eating? Why are you not doing this?"—the lady asked me a question, "Are you fit to do an interview?" I told her, "No, I am not fit", but she went ahead. I did not do the interview, but she went ahead and signed a letter. I do not know if you received the letter. There was a letter that was online that those ones who are on hunger strike, their cases are going to be expedited or they are going to be removed quickly. I told her that I was not fit to do the interview, but she went ahead and signed the letter and gave it to me despite that I told her that I was not fit to do the interview. In that way, I did not see that she respected my decision. At the end of the day, they do not respect anything you say. They just do what they feel they have to do.

Q8 **Chair:** What was the reason for the hunger strike? Why did you start that?

Afiya: The reason why I myself did the hunger strike was I felt it was not a removal centre. Because when I read detention is supposed to be for a short time, and I had been there five months, that is not a short time. People who are put in prison serve their sentence of six months, but people are there for a year. They are there more than a year. I have seen people who are there more than a year. Me being there five months, I knew that I cannot make even a year in there because I am not different from those ones who have been there a year.

Even vulnerable people, we had a lady—and she is still there—who came in when she was walking. She slipped and she fell off the bed, and maybe we are like, "Oh, why are you still here?" Even us who are in detention, we felt that she did not deserve to be there, but she is there. She fell off and she broke her back. She is in a bad situation. From healthcare to her room you can walk, like, two minutes from there, but she walks there, 30 minutes or more even than 30 minutes. She was put on crutches. Other detainees give her a shower every day. She has to beg, "Can you please go to my room?" If she forgets anything, she has to plead with others, "Please can you go to my room and get this for me. I forgot it in the room" because she cannot make the same journey and the same journey back. That put me in the position of wondering how vulnerable should someone be to be removed from detention if she cannot even give herself a shower. She cannot meet her appointments if she has to go to healthcare all the time. She has to wake up an hour before to go to healthcare. There is another lady on crutches. She pleads with officers



HOUSE OF COMMONS

and officers have the courage to tell her, "No, you came late, you have to wait. I am still doing tea upstairs". That is not helping.

Q9 Stephen Doughty: How often, if at all, were you or other detainees kept updated to the status of your applications or your situation?

Afiya: We do get monthly reports, but some things that are in the monthly reports are not true. When we try to ask, "Why is this thing happening?"—I will give an example on my case. I came to know that I was supposed to sign, when I was in detention, that I failed to comply with and I was like, "No one said that I have to sign and it has never appeared in any of the things I have been through". They were like, "I do not think it is true" and I am like, "Who is the right person to talk to?" Because I went to the manager of Yarl's Wood Home Office Department and I told her, "This is not true. This is not true what is on my case". "I am not your case worker. I do not know what to do. I do not think they can make that mistake." At the end of the day, if they make a mistake on your case, you do not know who to write to.

Q10 Stephen Doughty: You are left in limbo, effectively?

Afiya: Yes, you are left there. I made a call. My case was dealt with in Glasgow. I made a call to Glasgow. They said, "You write". Then I wrote to my case worker. She never replied. Then when I met a manager of Home Office in Yarl's Wood, I told her, "This is not true on my paper". She said, "I am not your case worker". At the end of the day, when a mistake is done on your case, you do not know where to turn to, so you are left with something that is not true with your case.

Q11 John Woodcock: Thank you, both of you, for giving your testimonies. Clearly, your experiences were very distressing. Was there any point at which your care you thought was good and your situation was reasonable? The reason I ask is trying to understand if there is a way that Yarl's Wood could have worked for you. Was it relentlessly bad or were there any examples of staff members who were considerate and treated you with respect?

Afiya: I will give an example. I went to healthcare. I was anxious and my heart was racing all the time. I went to the nurse and I told her, "I don't know what I am feeling but my heart is racing all the time". She said, "What is that? I will book you for an ECG". She didn't do her best to see if what I am telling her is true or not. Then she booked me to see a doctor in two days. When I went to see the doctor, the doctor panicked. He was like, "Why is it like this?" Then I had to be taken for an emergency. The only thing I say was helpful was that the doctor was able to say, "Okay, this is bad", yes. The nurse really did not help.

Q12 Chair: Janahan, you wanted to respond to that.

Janahan: Yes. From Sri Lanka, if I ever wanted to go back to Sri Lanka, I would never because the memories still keep coming back. I have to live through it. Through the detention, the memories I had was like, since



HOUSE OF COMMONS

I told you 150 days, I lived those 10 days every single day. Watching those people, those security guards and everything, even in this dock watching the security, it felt like I am going into a detention. It just altered my reality and the prison living days. Even if I see Serco, Mitie or G4S anywhere on the road, it just makes my hands sweat. It just scares me.

Detention would never work. It drains life and it drained mine, I can clearly say. Still I kept asking them are they police or security or who are they, because walkie-talkies, camera and the uniform, it is just in your head. All you have is detention, how you were there and how you spent the life. I told this today and I have to suffer with that for a week, for months probably. All I am doing is trying not to burn myself because people have been asking; they did not know. Yes, it drains life. There is no way it would help.

Q13 **Chair:** Welcome. Is it Voke?

Voke: Yes. Sorry I am late.

Chair: No, do not worry at all. We have been taking evidence and listening to everybody's experiences and hearing about what has happened. Now we have just reached the point of the Committee asking questions. What I had said at the beginning was we really appreciate you coming to give evidence; thank you so much. We understand that this is not an easy experience and we really appreciate it. This is all in private and the clerks will then give you a written version of the testimony that you can then say if there are things that you do not want to be made public. If there are any questions that we ask, by all means say that you do not want to answer them. If we may, we will just carry on with a couple of the questions, and then if I can come back to you and ask you about your experience that would be great.

Voke: That is perfect.

Chair: Thank you very much.

Q14 **Tim Loughton:** Thank you for sharing some very distressing experiences that you have had. I am sure it is typical of many others, which is what we are trying to get to the bottom of. In your time in that accommodation, did you have any access to any advocates, people to speak up on your behalf? Who would you go to speak to when you were particularly concerned about your treatment or was it just I think, Afiya, you said the manager of the department? Was there anybody independent there that you were able to go and confide in who would take up your case for you at any time?

Janahan: In detention?

Tim Loughton: When you were in detention, was there anybody you could go and see?



HOUSE OF COMMONS

Janahan: I was signposted towards outside, like Medical Justice, Freedom from Torture. I have faxed and written to everyone: Medical Justice, Freedom from Torture, Helen Bamber Foundation, so many different people. The only people who were able to do it was Medical Justice. Many of them do not work inside detention and many of them had—

Q15 **Tim Loughton:** Nobody came to see you in detention, it was just you writing letters and perhaps getting some replies?

Janahan: Yes. Only Medical Justice wanted to do a report, but before that—they knew, like, the Home Office and everything, even the detention staff, manager, but they issued me the deportation order just a couple of days before the original assessment.

Q16 **Tim Loughton:** Afiya, was it the same for you? What about lawyers as well? You said you got an update on a monthly basis about your application. Did lawyers come in? Were you able to see your lawyer and tell all these things to the lawyer?

Afiya: There is a Home Office officer who comes to hand you the monthly report but he does not really know about your case. He was the first person I complained to that this is not right and he said, "Oh, that is not true. Are you sure?" I am sure because I can agree with the rest but this one I am not sure, but he didn't help. I thought he had sorted the issue but he did not do anything.

Q17 **Tim Loughton:** There was nobody independent, who did not work for the detention centre or did not work for the Home Office, that you had access to who you could say, "This has happened to me. This is not right. I need somebody to intervene"?

Afiya: I had a lawyer.

Q18 **Tim Loughton:** Did the lawyer come into the detention centre to see you?

Afiya: He did.

Q19 **Tim Loughton:** Was he helpful in terms of being able to raise the problems that you have experienced in the standards of accommodation, for example? Was he only dealing with your application?

Afiya: He was dealing with my application.

Q20 **Tim Loughton:** He was not able to raise for you with the staff in the prison that you are being treated badly?

Afiya: He did. He wrote to the Home Office and I wrote to the Home Office. The Home Office got back to Serco and Serco told them that I was okay.

Q21 **Tim Loughton:** So that did not work either?

Afiya: No.



HOUSE OF COMMONS

Q22 **Chair:** Can I ask you both were you interviewed by a doctor to ask about whether you had been a victim of torture when you were first detained?

Afiya: When I entered detention I told them I want to do rule 35 and I told them from the start my application had torture and rape in it. When I did rule 35, the doctor said, "I do not think she is fit to be in detention and I do not know how detention is going to affect her going onwards". That was the first month when I entered detention. No one reviewed rule 35 within those five months, and at the date for me to be released I met a psychiatrist who said, "Why is she still in detention?" after seeing all my records. "Why is she still in detention?" That is the point he raised.

Janahan: They only asked me about any suicide attempts. I said yes, so they only opened ACDT. The rule 35 I came to know about when in the detention the nurse called me to check for chlamydia, because they say it is a standard procedure to check anybody who is under 25 for chlamydia. I told, "This is what happened but I am not sure". I had never been suggested by anyone to have an STD test because what I have been through, everyone heard the story, everyone knew what happened. They never suggested for me to have this test. When this doctor saw me, he said, "Okay, we have to refer this to the doctor to do rule 35" and the doctor did the rule 35. The Home Office said, "We cannot accept this as it is not an independent medical report as well as it is inconsistent". They expected me to be putting everything in a sequence. I keep telling them that is not how my memory works. I cannot recall 10 days in the same order. They did not believe it.

Q23 **Chair:** Voke, can you tell us what your experience of the detention system was?

Voke: Okay. My own experience is really hard because I was there for eight months. I was in Yarl's Wood. I was just released in October last year. I was taken to Yarl's Wood I think 19 February.

I tried to regularise my stay through one agency. They called themselves Commonwealth Evaluators. They took my money and the Home Office wrote back to me to say they are not genuine. They gave me an appeal. The agency now said to me that I have to pay an extra £1,000, which I could not afford at that moment. I did not go for the appeal because I was scared.

On 19 February 2017, that was last year, they came to pick me up. I had never heard of Yarl's Wood before. I knew there was a detention but I did not know where Yarl's Wood is. They took me to Yarl's Wood on the 19th. They took me to London Bridge first, the officers that came to pick me up from home. All day they did not tell me I am going to be detained. They did not interview me or ask me anything. They just said to me, "You are going to go sign some papers and you will go back since you have not done anything, you have been here, you are trying to regularise your stay". So, in my mind I was going back home. They said something to me, "If you can get someone who has a British passport who can bail you



HOUSE OF COMMONS

out, sort of". I did not have anyone to call because I did not have any family or anyone to call at that moment.

I was taken to Yarl's Wood. I got there at 9 pm in the night. When I got there, the nurse did ask me some questions but where they failed me is they did not ask me if I had been tortured before or whether I had been locked up before. They did not ask me that. The only thing they asked me was, "Have you been to prison?" and I said no. I asked the question, "Is this a prison?" because I am scared of the dark. That was my first question. She said to me, "No, this is not a prison. This is detention". Immediately I heard that I started crying. I said, "Are you going to lock me up? Because I don't like darkness, I cannot stay in the dark if you lock me". They said, "No".

That was the beginning of my experience in Yarl's Wood. They did not ask me if I was tortured, if I have been trafficked, anything. These are key questions they did not ask me before taking me inside. That was just the beginning. I could not get a lawyer for two months. Legal aid kept rejecting me saying my case does not have any grounds. It took me months even though I paid a private lawyer through my church that I used to go to. The private lawyer messed up my case. In May/June I was denied; my appeal was denied so I was still there. Before I could get legal aid it took me two months.

By this time mentally I was not myself. I was just like a walking corpse in there, just waiting to explode. I was there from February to October. Trust me, my life was taken away from me. It is like it was not me anymore. It was like everything they were asking me, instead of me saying A, I was saying B. Mentally, I was not there anymore. That place breaks you down mentally. Instead of making it good, it makes it worse. I could not get legal aid. Everyone I turned to kept rejecting me. When I went for my asylum interview that was when I heard about rule 35. I mentioned that I was tortured from my head to my toes. I have 12 marks on my body. That was when the lawyer then said to me, "You need to do rule 35 if you have these marks", because I had never talked about it before. It was in my interview, the lawyer then said to me, "You need to do rule 35". That was when I heard of rule 35.

Doing that, by April the Home Office got it. They said to me, "Yes, we agree you are tortured. We accept it, but we are still going to keep you here." After they had proof that I had been tortured, adult at risk or something, they still kept me there. In April they got the results, because they did a rule 35 in detention. They still kept me there until October. I later discovered that if you have been tortured you are not supposed to be in detention. They accepted I was tortured because of the marks. They did an examination right then in Yarl's Wood, not outside, but they still kept me there from April to October.

I was monumentally sick. I tried to commit suicide twice. Maybe I should not be here today, if not because of people like Women for Refugee



HOUSE OF COMMONS

Women that got in touch with me. There is no one to talk to there. It is lonely place. Who wants to help you? All of them work for the Home Office. I cannot go and meet them and tell them this. They do not even know about my case.

The first time I tried to commit suicide, all the officers were shocked. They were surprised. I keep to myself there because it is hard to go by the day. Everybody was shocked. They do not even know about your case. It is only when you try to commit suicide or something major happens that they went, "Okay, this person is at risk and this is her case". That is when you read what has happened. There is no one to talk to. The only help is from outside, when people get in touch or they come to the centre, some independent agency refers you there, "This person has been here for a long time and I think she needs help". That is when people know about you. However, when you are there, you are just there. No one really knows whether you are there or not.

Q24 Sarah Jones: Thank you for that. You were released by judicial review, so it was only when your case went to the court?

Voke: Yes. The legal aid lawyer I finally got, after so many months, took them to court to say, "She has been here" and about the rule 35. That is when they released me. If not, I would still be there. They refused to release me until they take them to court, which is when they released me.

Q25 Douglas Ross: There is an independent monitoring board. Was there any awareness of that group? It is supposed to be people totally independent from those who run the facility that you can go to, who can speak to you about your experience, raise concerns and hopefully get action. I took from how you answered Tim's question that there is not even an awareness of them?

Voke: I think there is one. They call it a "Hibiscus". I do not know whether they work for the Home Office. I am a little bit confused because when you are in detention everyone has the belief that everybody is working for the Home Office. Even if I have a problem I do not want to tell you, because I do not know whether you are going to go back and tell them. I think Hibiscus is independent, because they are the ones that get in touch with Women for Refugee Women.

The day I got there to talk about my problem, I broke down and I wept for a long time. I could not even explain, like when so many things are bottled up inside. I remember just crying. They said to me, "Women for Refugee Women are there, maybe justice is there. I will pass you the information or you can call them and explain." That is the only one I know about. They call them Hibiscus. I think they are independent in a way, they are the ones.

Afiya: I came to know about the independent monitoring board on the hunger strike. It had gone on for two weeks. They got involved because



we had started sitting down in different departments. One of the members came and it was like, "I am from the monitoring board of Yarl's Wood". I am like, "Okay, I have never heard of you". Then he told us what he does. That is when we got to know, through our hunger strike. If it was not for that we did not know it existed. We never had meetings with it.

Q26 Douglas Ross: There is no indication when you enter. It is only when it enters a critical point that you become aware of this, rather than on your first day, "If there are any issues, here is an independent body of people who will listen to your concerns, will try to sort them out and then come back to you to explain how that has been done"? That only happened on one occasion, when it reached a critical level.

One of our colleagues, who cannot be at this session today, was in Yarl's Wood on Friday or Monday. He spoke to eight detainees. They said that staff are generally okay but there are some bad apples. Did I pick up from what you have all said today that there is more than just some? Is it just a small number that give a bad impression and the rest are looking after you in an acceptable way, or do you think it is the other way around and there is only a few that are really good and looking after your views?

Voke: My own experience is the worst experience ever. They bullied me. For two months I was not eating, I did not eat all. I was just myself there. When I collapsed in the bathroom they were poking my eyes. The staff did this to me. They were then shouting, "Stupid girl, why don't you want to eat? You want to kill yourself?" Why would another human being do that to a fellow human being? These are the people who are supposed to be protecting us and caring for us.

The majority of them there are evil. We know we are being detained because of our status but we are human. You have to think beyond that. For them to treat a fellow human being that way is disgusting. Whenever I think about it, I feel no one deserves to be treated that way.

What they are doing, they turn off the camera and say they do not do stuff like that. I collapsed coming out from the bathroom. They were poking my eyes, forcing me, telling me, "You need to eat. You want to kill yourself? You are a stupid girl." They mimic me sometimes when I say something. They repeat it in a very funny way and they laugh about it. To me, that is just not right. It is wrong for them to do that. There are good ones but the majority of them, they need monitoring of them.

Afiya: It is not easy to find a good one. If there are 10 on duty, you will find one or two. They may not be on your unit. I remember one day I had left my card in the room and my roommate locked the door. I had to take my medication so I needed my card. When you are in Yarl's Wood there is a very high chance of you forgetting things, even forgetting the day you are leaving. I went to her and I told her, "Can you please help me to open the door because I need to take my medication?" They said, "I am very sorry, I am very busy today. That's why it is so silly of you to forget



HOUSE OF COMMONS

your card." I'm like, "Please, I just need to take my medication". She went and did whatever she had to do. Taking medication, it has a specific time. Afterwards she came, "You want to take your medication, I'll open your door". I was like, "It is too late because even the pharmacy is closed".

So many things happen. The truth is on a daily basis you can find one who is good. The person in the office tells, "That one is on 18D", which means she is on suicide watch. He does not even work in your unit but he knows you more than anything that you are on suicide watch.

Janahan: If I may say, a few rotten apples is a common theory to defend a whole systematic failure. In that situation the detention environment itself made me vulnerable. Being in the situation of what I faced in Sri Lanka and then facing this situation, I was very low. Seeing some people smile is rare. If a detention officer smiled at me and said, "Good morning", the next minute I will say, "He is a good man". In that atmosphere you yearn for something, "Please, someone smile".

As you say, the person who meant that, it was in the detention, it was the atmosphere. Just a smile, "Yes, there is a good person". That is what it is. It totally damages you. That is what it did to me, I remember that.

Chair: Thank you all for telling us your stories. We very much appreciate it. We know how difficult it must be and we want to thank you. The reason we wanted to hear your stories is because we are so concerned about what we have heard about what has been happening and we wanted to get to the truth. Your stories have been very helpful, even though I am sure it was difficult to do this. Thank you very much.

Examination of Witnesses

Evidence taken in public:

Witnesses: Kris Harris, Gemma Lousley, and Tom Nunn.

Q27 **Chair:** Welcome everybody to the public session. Thank you all for your patience as well because I realise this is later than we had intended to start this session. Thank you very much for waiting.

This is an evidence session in our inquiry into asylum detentions. We are very grateful for our panel of witnesses. Can I ask you each to introduce yourselves first?

Kris Harris: My name is Kris Harris. I am the research and policy worker for Medical Justice. We are an organisation that sends volunteer doctors into all the immigration removal centres in the UK to collect evidence of torture and to also help people access healthcare with their needs.

Gemma Lousley: I am Gemma Lousley. I am the policy and research co-ordinator at Women for Refugee Women. We are a small charity. We



HOUSE OF COMMONS

work with women seeking asylum in the UK to challenge the injustices of the asylum system, including immigration detention. We regularly visit and support women who are detained in Yarl's Wood Detention Centre. In the past three years we have published three reports on Yarl's Wood and on the experiences of women seeking asylum in detention.

Tom Nunn: My name is Tom Nunn. I manage the Right to Liberty project for immigration detainees. As part of my role I go into detention centres one day a week. I was in Morton Hall on Thursday. I am due to be in Yarl's Wood tomorrow. The rest of my week is spent doing legal case work to get people out of detention.

Q28 **Chair:** Thank you very much. I have two opening questions, we will take each of those in turn. The first is to ask you your main concern about the overall asylum detention system. The second is to ask you what specific concerns you have about the operation of individual detention centres.

Kris Harris: We are very concerned about the state of immigration detention. The evidence has been mounting for decades now that it is a harmful system that places vulnerable people at great risk of harm. The evidence is quite clear that the system is not only ineffective but unjust and extraordinarily expensive. From our perspective, we are very, very concerned not only about the immigration detention estate itself but also the state of healthcare within it, the state of vulnerable people who end up in detention and the safeguards for vulnerable people while they are in detention.

Gemma Lousley: I echo that. Our main concern in terms of immigration detention is that it is an incredibly harmful system. Our research has shown that the majority of asylum-seeking women who are held in detention in Yarl's Wood are survivors of rape or other forms of gender violence. They are already incredibly vulnerable and traumatised women, and they are put into a system that re-traumatises them.

In relation to that I would really emphasise the Home Office's new adults at risk policy. I say "new", it was introduced 18 months ago now. It introduced a clear presumption of detention against people who are identified as vulnerable, including survivors of sexual and other gender-based violence. Our research has shown that those women are still routinely being held in immigration detention. We published a report last year that showed that 85% of the women we spoke to who had claimed asylum and who had subsequently been detained in Yarl's Wood had survived rape or other forms of gender violence. We have a clear concern at the moment that the Home Office has promised reform in relation to the system of immigration detention, but 18 months on from that the reform has not materialised.

The other thing we would flag up in terms of the system of immigration detention broadly is the lack of a time limit. This is something we hear time and time again from the women we speak to. The fact there is no time limit on immigration detention has such a detrimental effect on



HOUSE OF COMMONS

people's mental health. Even women who end up being detained for very short periods of time tell us that when they first went into detention they did not know how long they were going to be in there for. That is a very significant concern for us.

Tom Nunn: Because of the work I do I come across a lot of Home Office decision making. My main concern is the way the Home Office is currently dealing with this administrative investment in immigration detention. Many of the decisions to detain people are based on no logic at all. I hope I have the opportunity to talk to you about those things.

The decision to continue to detain people often feels very much like people are completely forgotten. They are there indefinitely until something happens. In places like Morton Hall, in particular, people do not seem to be able to get access to the Home Office to talk to an individual who is dealing with their case. That leads to people not taking any decisions. We often see that where we will make a bail application and the point of us making the bail application leads to the Home Office taking steps in terms of removing that person. We will see it in their bail summary, which is the document that comes the day before a bail hearing. There is no reason that we can see why these places should exist in the first place, or why the Home Office should be taking these decisions on maintaining people's detention at the point of a lawyer coming in and saying, "This person should be released". Those decisions should be continuous throughout that person's detention.

Q29 **Chair:** Can I ask you about individual detention centres or specific issues in terms of the operation of detention centres?

Tom Nunn: As I have said, Morton Hall feels like a very isolated place. There is a lot of issues in terms of legal advice. The phone signal there is very bad and lawyers are travelling 200 to 300 miles to see their clients. Therefore people do not get the access to lawyers they need. That is what has contributed to the fact Morton Hall has a far longer period of average detention than other detention centres. I think that is a geographical problem. It is also a problem that I have been told there are no Home Office decision makers on site. There is administrative Home Office staff there but no one who can make a decision to release someone or to make a decision on their immigration case.

Gemma Lousley: Our research in the past has identified clear concerns about the operation in Yarl's Wood. One of the things we have highlighted are the routine intrusions on women's privacy and dignity in Yarl's Wood. Up until recently male staff were being used for women on suicide watch and on constant supervision. They were seeing them in very intimate situations, including when they were in bed, on the toilet or in the shower. The Home Office introduced a new detention service order on the treatment of women in detention, saying that male staff could not be used for constant supervision anymore. That policy appears to be being adhered to and we think there have been some improvements in those conditions.



HOUSE OF COMMONS

When we did our last piece of research we still found that there were things happening like staff members barging into women's rooms without knocking or without waiting for a response after they had knocked, including male staff members. We also found that male staff members were still being used for room searches, which women have told us they find incredibly intrusive.

The other thing I would say in terms of conditions—again, this goes back to the adults at risk policy and I am sure Kris may well say more about this—is healthcare in Yarl's Wood. That is something that has been raised time and time again by the women we have spoken to. There is a culture of disbelief among the healthcare staff there. When women go and talk to mental health and other healthcare staff, it is assumed what they are saying about how they are feeling and what they are experiencing in terms of their health is not true. That does feed into the adults at risk policy. What the adults at risk policy is supposed to be doing is when the physical and mental health of people in detention is deteriorating that information is supposed to be getting to the Home Office, so the Home Office can reassess whether it is suitable for that person to remain in detention. Of course, if there is that culture of disbelief then that is going to be very difficult. Many of the women we spoke to for the most recent bit of research we did said they were already in contact with healthcare staff, telling them how they were feeling, but they remained in detention. That is a concern we have.

Kris Harris: We have specific concerns about many of the centres. This Committee has rightly identified the recent deaths at Morton Hall as a very specific concern. That is a single issue in one centre. It is a red herring to focus on the issues in one centre. When you look at the evidence that has been mounting over the last decade, you are looking at the same revelations that have come up year on year in different centres. Every single time there is an independent inquiry and every single time they say, "There were only a few apples". Three years down the line you have almost word for word the same report and, again, it is dismissed.

Gemma rightly identifies the adults at risk policy, which is a huge area of concern for us. All of that mounting evidence led to the Shaw review. The Shaw review, very rightly, took the detention estate as a whole and said, "What is going on here? What is going on for vulnerable people?" The Home Office accepted broadly those recommendations, which led to the adults at risk policy. That is why our concern is so great, it is not working as advertised. It should lead to a reduction of detention of vulnerable people and the length of detention for vulnerable people. In fact, our experience is it has done the opposite and I think that has been mirrored by HMIP and others.

One of the things about the detention estate is that it is such a secretive estate. Many of your colleagues have tried to access it. I realise one of your colleagues just did access Yarl's Wood but, for example, Diane Abbott had to wait four months of constant petitioning to be able to gain



HOUSE OF COMMONS

access. When we issue FOI requests, or we try to get information, it is a lengthy process to get any information that is vital to ongoing monitoring.

The HMIP and IMB reports are very good and thorough but they are occasional. We can all probably imagine that people are on their best behaviour when the official inspectorates are on the premises. However, they still highlight very real concerns. Those are things we would like to highlight.

Q30 Douglas Ross: Ms Harris, you just mentioned the deaths at Morton Hall. Do you have any thoughts on the reasons for the high number of recent deaths of detainees?

Kris Harris: Unfortunately, no. One of the really unfortunate things about deaths in detention is that there is such a long time lag between the deaths occurring and the inquests that look into the deaths. We are still waiting for the first inquest from these deaths. We have anecdotal evidence that comes from detainees. We have snippets we have picked up from different channels. However, it is very difficult to know anything real about what is going on.

What I would like to highlight is that I think it was in November 2016 that there was an HMIP report on Morton Hall. It said there had been four instances of serious self-harm and attempted suicide that almost led to fatal outcomes since the last inspection. There was no serious incident review. There was no systemic analysis to find out what went on. Only a month after that report came out there were these five deaths. There were only four deaths in Morton Hall, but there was one death very shortly following, within four days of release, which the PPO chose not to investigate. There was also, according to the newspapers, a whistleblowing report and an internal NHS report that we have not had access to but we have an FOI on. That also highlighted staff shortages and highlighted the lack of mental healthcare.

When you read these with hindsight, and look at what has happened with the deaths, it feels like there were so many red flags that were not adhered to. However, it is very difficult to speculate because there are not yet in the public domain.

Q31 Douglas Ross: Of the anecdotal information you have, do any similar themes come through or is it all different versions from different detainees?

Kris Harris: There has been a significant increase in self-inflicted deaths, we can say that, plus rates of self-harm for serious self-harm requiring medical attention in detention centres. It has doubled in the period 2016-17. That is one trend we can know about but the details are difficult.

Q32 Douglas Ross: Before I move on to my next question, on the FOI you served to get some documents, are you still waiting for an answer or has that been refused?



Kris Harris: The NHS ones we only recently submitted because of the newspaper report. We were not aware these existed prior to the newspaper exposing them. I know Gemma shares my frustration on the difficulty in getting any information out of the Home Office through FOI requests, and often having to turn to the Information Commissioner to compel the information. The number of pregnant women should hardly be a contentious issue.

Q33 **Douglas Ross:** Can I ask the whole panel, could you describe for people who have not been there what the conditions are like and the general atmosphere in Morton Hall and Yarl's Wood, and how does that compare to other immigration centres?

Tom Nunn: In Yarl's Wood there is a clear sense of desperation, more than maybe in some of the other centres. There are a lot of people that are really eager to get legal advice and for whatever reason they are not able to get it. When I go in I will have people waiting for over four hours in the corridor to get 10 minutes of legal advice from us, which is potentially to do with what stage people come to it. It seems to be very different to somewhere like Morton Hall. In Morton Hall there are lots of people who the staff will encourage to come to speak to us, because they are people who have lost hope at the other end of the spectrum and are people who have been detained for a really long time. At Yarl's Wood it feels like there are a lot of people who are encouraging each other to come and speak to us, who are saying, "You need to stay strong". There is a lot of solidarity in Yarl's Wood among the women. We have seen that in terms of the hunger strikers and in terms of all the things that are going on there.

Morton Hall, as I have said, is a very isolated place. The weather always seems terrible when I am there, but that is not their fault. There are a lot of people who are being forgotten. I had a client there who was on 24-hour suicide watch. I would see him, sit on his bed next to him and there would be an officer on the other side of the glass panel who would sit there taking notes of every time he went to the toilet. That was really difficult. The difficulties there, as I have said before, are to do with the communication between the staff and the Home Office. In that instance he had been not very well. He tried to commit suicide a number of times. The doctors at Morton Hall had raised their concerns. They had a rule 35 report—hopefully you know what that is—saying they were concerned about this man's mental health. That was passed on to the Home Office but the Home Office kept him in detention. It felt like the staff at Morton Hall were doing all they could in order to try to help that person but, at the end of the day, the Home Office was the one making the decision to continue his detention. In terms of the impressions, that is the difference I see between the two places.

Douglas Ross: For the other two, I was looking also more for not differences just between the two but between those two and other centres.



Gemma Lousley: We only visit in Yarl's Wood so I can only speak to that. Desperation is absolutely the right word in terms of the atmosphere in Yarl's Wood. There is an extreme feeling of insecurity, instability and anxiety. When the Prisons Inspectorate inspected Yarl's Wood last year it found in its survey that almost half of the women there, 47% of the women in Yarl's Wood, said they felt unsafe in the centre. When they probed further the reasons for that it was not particularly related to the conditions or the way Yarl's Wood was run. It was really first of all to do with when they might be released, so it was to do with the indefinite nature of their detention and also to do with not knowing what was going to happen to them ultimately. I also go back again to reiterate that in Yarl's Wood the deprivation of liberty in indefinite detention is extremely traumatising. These are already incredibly traumatised women who have been through so much—who have experienced rape, domestic violence, forced marriage, forced prostitution, FGM—and then they are re-traumatised. The atmosphere in Yarl's Wood can really only be one of trauma and desperation.

Q34 **Stephen Doughty:** Thanks, Chair. We have heard evidence in a number of the sessions we have had on this regarding the issues around the detention of convicted criminals awaiting deportation alongside immigration detainees. What has been your experience of this and the sorts of complaints and concerns you have had raised? We have obviously had a number raised. Do you think this is a practice that must be stopped?

Tom Nunn: There is a problem with this term "foreign national offenders". We need to think very carefully about all the people that can include. If you look at both the offending and the foreign nature of people, it is important that we do not put people all in this one box. There is a man in Morton Hall at the moment who has been detained for four months. He is in a wheelchair, he has lost over a stone in weight, he has a deportation decision that was served on him. He is one of these foreign national offenders. He was born in Bangor in North Wales in 1964, he has never left the UK, he was born to British parents. He told someone in the prison service in Leeds Prison when he was inducted that his mum had told him on her death bed that he had been born in America. As a result of him giving that information to the prison service and that being passed to the Home Office, he is now in immigration detention. He is in Morton Hall, he has been there for four months. He is a foreign national offender in terms of that definition. There is a real danger in terms of someone who says that they might be a little bit foreign is then put in that box as a foreign national offender.

He is obviously quite an extreme example but you have lots of people who have grown up here, who have gone to school here, who have gone to secondary school here, a large number of people who have spent lots of time in the care system and who have committed their first offence when they were 15. In terms of the mixing between people, I do not think there is ever an issue. I have always seen a real sense of solidarity.



HOUSE OF COMMONS

Everyone is together within that in these centres. They know that they are all facing the same issues in terms of their removability and their immigration cases. In some individual cases there may be problems with people who are not able to cope with the system that is in place in the detention centres, it is a more open system than in a prison, but they are few and far between. I have never seen any issues where you have offenders who are clearly the evil offenders with the innocent asylum seekers sat next to each other and that is causing huge problems. I do not think it is an issue.

Q35 Stephen Doughty: I have heard the opposite, of immigration detainees who have expressed serious concerns about being placed with potentially hardened criminals. Although the case that you raise of individuals, I had an individual who is a British citizen deported to Somalia, who had mental health issues and said that he was from Somalia and was not, he was a British citizen. We had to get him back from there. It was an absolutely crazy situation. I recognise the point you are making but in terms of that mixing of individuals who perhaps never had any experience of the prison system or detention in any form with those who perhaps have spent significant periods inside, having been convicted for various offences.

Kris Harris: I would echo Tom's point that it is a false dichotomy and it asks the wrong question. To me it is about who needs to be in detention and why they need to be there. Nobody is in detention as part of a criminal sentence so when we are talking about foreign national offenders, we are talking about sentence served foreign national offenders. Had they been British they would have been released into the community under licence. If they are considered a risk they would be retained in prison, so they have to have a risk assessment in order to be transferred to the detention centre. It is my opinion that foreign national offenders should be released at the end of their custodial sentence. There is no justification for why we should take away the liberty of a foreign national at the end of their custodian sentence any more than the British person.

We have a system for dealing with anyone released from prison, infiltrating them within the community. When you are looking at vulnerable people in detention I certainly do not think that vulnerable people should be in detention. The system needs to protect the vulnerable people in detention, there need to be proper safeguards, strong support and a strong system in place.

We are attacking it from the wrong end of the stick, in my experience.

Q36 Stephen Doughty: In terms of the day to day lived experience of the detainees, there is clearly a difference between somebody who has spent a significant amount of time inside serving a sentence for a serious crime and somebody who has never experienced any time in detention and has been picked up by the immigration service?



HOUSE OF COMMONS

Kris Harris: Probably, I do not know. It is difficult to generalise, as Tom said, but the question is why are they in detention in the first place rather than—

Stephen Doughty: The actual process of detention.

Kris Harris: Yes.

Gemma Lousley: I would absolutely support what both Tom and Kris have said. In the time that we have been visiting at Yarl's Wood, the issue of there being some sort of problem in terms of the mix of a different—for want of a better word—group of detainees is not something that has ever been raised to us. It is not something that HMIP have raised in their reports on Yarl's Wood, it is not something that IMB have raised.

Just to go back to the point that Tom was making, when we did research last year as well we spoke to a number of asylum seeking women who had served prison sentences because they had been criminalised by the asylum system. There was a woman that we spoke to who had been trafficked to the UK. She had been brought here on a false passport. She managed to escape that situation when she got to UK. She needed to survive and she tried to use the passport that she had been given by her traffickers to open a bank account and was arrested, prosecuted and imprisoned because of that. We need to be careful about making these distinctions between the foreign national offenders and the other people in detention.

Q37 **Stephen Doughty:** That has been very helpful. Could I ask a question about drug usage as well? We have had concerns raised, particularly when we heard evidence about Brook House and other places, about drug usage within detention centres and perhaps involvement of staff in supplying drugs to the centres. What has been your experience of that? Have you ever had concerns raised by detainees about drug usage within detention centres?

Tom Nunn: Yes, I think it is a problem. There is a lot of spice that is getting into the detention centres. If you have a lot of people that are frustrated, that do not know what is going on day to day, who are bored, who have come from the criminal justice system potentially, who are vulnerable to getting involved in drugs, if there are drugs there it is a problem with the centres in terms of how the drugs are getting in.

Q38 **Stephen Doughty:** What is your view about how they are getting in, Tom?

Tom Nunn: I do not know. I have had conversations with detainees in the past about officers dealing drugs but they have never given the names of people. These are people who would not want to be pointing fingers at people because they know those officers can make their life difficult. But that was quite a long time ago and I haven't heard of that recently so I couldn't really comment on that further.



Gemma Lousley: It is not really an issue that we have come across in Yarl's Wood, and I refer back to the Prisons Inspectorate Report for last year, which said that they weren't aware that drugs were an issue in Yarl's Wood.

Kris Harris: Drugs are a huge problem in the secure estates in general and I do not see why immigration removal centres should somehow be removed from that. It is something that we are struggling with across the board in secure environments. We do not have any knowledge of how it gets in. I can refer to the HMIP reports where staff speculate that it is other staff, very convenient, that are bringing drugs in or that they come in through the visiting area. You cannot have routine body searching or cavity searches of people so that is a speculation.

I would echo Tom's point. When you have a deeply vulnerable population locked up in these kinds of environments with nothing to do—and HMIP, again, assess boredom, lack of purpose, anxiety over the case, fear of being returned to a country where you fear for your life—it is not wild to think that people might turn to drugs for relief.

Q39 **Tim Loughton:** We have had evidence about the lack of independent advocacy advice. A lot of the mistreatment we have heard about, and certainly unsympathetic treatment to put it mildly, often comes out when there are undercover documentaries and others we are seeing on television. Where is the weakness in exposing what goes on and where isn't the system doing what it should do to make sure that people in the immigration centres can go to someone who is genuinely independent, who will be genuinely concerned about the way they are being looked after and be able to do something about it?

Kris Harris: You call it mistreatment, I would use a stronger selection of words. These are assaults. Certainly what was revealed on the Brook House documentary.

Q40 **Tim Loughton:** I wanted to cover all—

Kris Harris: Absolutely, yes. We take about 1,000 referrals from people in immigration detention a year and I am not going to give you a percentage but very many detainees raise issues of serious mistreatments. One of the problems is there is no evidence. When I saw the Brook House documentary, the revelations to me were not shocking. They were not surprising, they were shocking obviously in their gravity but the one thing that stopped me dead in my tracks was when the nurse lifted the pen and said, "Oh, I will just write down that he strangled himself". There lies the calibre of our problem. Detainees report, "I was beaten in the segregation cell by guards" where there is no CCTV footage, it was done in such a manner to leave very few bruises, I can do very little except note it down and if there is physical marks try to arrange for a doctor to go in and record it.



HOUSE OF COMMONS

When the sexual assaults investigations happened in Yarl's Wood, one of the officers said, "Well, we know where the CCTV cameras are so we can have sexual relationships with—to have rape, as it would be—of detainees because we won't get caught, we know where those angles are". There is a huge problem with transparency and access. In general, both the providers who run the centre and the Home Office need to be more transparent and need to allow more insights into detention centres in order to avoid these things. There needs to be more independent scrutiny, more people with keys to the door and not less. What I think we have seen in the last few years is a restricting of information, a restricting of access and a heightening of secrecy.

- Q41 **Tim Loughton:** Do you think the system as it stands at the moment does not allow that, or the system should allow that but it is not happening? On the extreme abuse that you are talking about, which happened, people have to be complicit in that, there has to be a cover up in that. In one of the documentaries at Brook House there was a whistleblower who had given rise to that but it took undercover journalists going in to give evidence of the full extent of it.

What I am also concerned about, as we heard in evidence, is just on some of the day to day stuff, which is not extreme abuse but it is completely inappropriate attitudes, unsympathetic attitudes. Where are the people who should be available to be their advocates, to say, "Hold on a minute" to the senior management or complain to the Home Office or whoever that these people are not being looked after remotely appropriately, let alone all the extreme abuse, which is another matter?

Kris Harris: That is the million dollar question, isn't it? Where are they? Where is the independent monitoring board? Where is the Home Office contract management? This is a service provided on behalf of the Home Office by a provider, there is an ultimately responsibility for oversight over what the provider is doing in your name, so where is the contract management, where is the insight and where is the oversight, where is the follow up? There does not seem to be much consequence on individual providers when these kind of allegations come out. There is a brief review, a brief investigation, a brief action plan and no real consequences to these kinds of revelation. There needs to be much, much more scrutiny.

- Q42 **Tim Loughton:** Whose job is it to call out the absence of oversight that should be there? Is it the people running the detention centres should be calling it out to the Home Office and say, "Hold on, we are looking after people who are not being properly looked after because there is nobody there to whistle blow"? Then they would have to be effectively calling out themselves on that. So who is the responsible agency, department, whatever, that should be making sure that those people are there and that the people in these detention centres absolutely have free access to them and can be assured of an independent and sympathetic hearing and it will be taken up with the appropriate authorities?



HOUSE OF COMMONS

I am just trying to find out where the system is not working as it should do. Is everybody covering up for each other effectively?

Kris Harris: I think the independent monitoring boards should be much more effective but there is a great variety of them between the difference centres. Some are stronger than others. Again, there is embedded Home Office staff at each of the centres who have the role of contract monitoring and they are the ones who are responsible for overseeing the actions of—I know they are not independent as you said. The one that is otherwise responsible is Her Majesty's Inspectorate of Prisons, but they only go in from time to time. Ultimately, I cannot see that the responsibility stops anywhere but the Home Office.

Q43 **Tim Loughton:** Should there be somebody who is independent of the Home Office, who is a constant presence or has absolute free access to anybody and people in the detention centres know who they are, know what their rights are getting access to them, who can then call out these abuses?

Tom Nunn: Fundamentally in all of this, there is a huge problem in terms of trust. You have to understand the unstable situation that people who are in detention are facing. Often it takes me a long time to win trust with someone who thinks that I work for the Home Office or that I am going to be one of the people who takes the information they give me and that is going to lead to them being deported quicker.

If you look at what has happened with the hunger strikers, when they raised their concerns—and their concerns are not about conditions in Yarl's Wood, they are more about the way that this whole estate operates—they get a letter from the Home Secretary saying, "We are now going to speed up your removal". I do not think that anyone in that situation is going to talk to someone who is so-called independent. It is a fundamental problem with the system that we have, the system of indefinite immigration detention.

It is a problem with the fact that people do not know whether they are coming or going in terms of the Home Office decision making. They are not going to talk to the Home Office about issues that they have with individual staff members because they will think that will lead to them being removed quicker or lead to them having the wrong decision made in their case. Those concerns are completely understandable, given these letters that we have seen being given to people in Yarl's Wood.

Gemma Lousley: I would just support that. One of the things that we see in Yarl's Wood a lot is that when things do happen so that women potentially may want to make a complaint, they are not going to make that complaint because they are concerned about the impact that it could potentially have on their case and about what might happen. They are just not going to do that. The example of what has happened in the hunger strike is an absolutely perfect example of that. Women there are peacefully protesting the system of immigration detention and what they



HOUSE OF COMMONS

have been met with are letters threatening expedited removals. As Tom says, it is an issue trust and how on earth are they going to trust the system that they are detained within.

Q44 Kirstene Hair: From your experience, do you feel the initial screening process has adequately identified vulnerable people? Do you also think that are carrying these out have the experience required and the sensitivity around what these people potentially have gone through? I also wanted to question the review process and if you believed that that functions as it should do.

Gemma Lousley: I was just going to say something about screening. That was something that we looked at in the research that we did last year on the adults at risk policy. The research that we were doing was really looking at the policy and whether it had improved and strengthened the safeguards for vulnerable people. One of the key things that we found from our research is that there is, at the moment, under the adults at risk policy no proactive screening process that works to actively identify if someone is vulnerable before the point of detention. What that meant in practice for so many of the women that we spoke to, who were survivors of rape or other forms of gender violence, was that they were detained because the Home Office had only been looking at what they already had on file. They did not actively ask any questions to try to identify any other vulnerabilities. They were detained without the Home Office being aware of their previous experiences of rape and other forms of violence. It was only once they had been in Yarl's Wood, sometimes for quite significant periods of time, that it was identified that they were a survivor of sexual or other gender-based violence.

One of the women we spoke to was a survivor of trafficking in her country of origin. She had managed to escape that situation, come to the UK on a tourist visa. When she tried to regularise her status she spoke to a number of different solicitors, they did not ask her about what she had been through in her country of origin and she understandably did not feel able to actively disclose that to them. Not least because all of the solicitors she spoke to were men.

The Home Office then detained her in early 2017 for three months. She managed to get herself out on bail and then a few weeks later she was detained again. By that point we were in touch with her, we supported her and she was referred into the national referral mechanism. She got a positive reasonable grounds decision and was released. What that shows is had there been an active screening process in the first place, she may not have been detained. It should not have got to that point. She should have been identified beforehand. In terms of screening, that is something that we would like the Home Office to look at very carefully.

Tom Nunn: There is meant to be a process. There is rule 34 that says people are meant to be spoken to by a medical practitioner, I think, within 72 hours of them entering detention. If there are concerns raised then a rule 35 report should be triggered as a result of that. The reality is



HOUSE OF COMMONS

that I do not think I have seen a rule 35 report triggered as a result of that or at least I have not come across it myself. The rule 35 process, as it is now, is completely flawed. Often people will have to wait for three or four weeks to get a rule 35 report. From the point of asking a doctor and saying, "I have concerns about my mental health, I have a history of torture" the doctor will say, "You have to come back in three to four weeks because we have quite a long list of people that we are waiting to see". That is then three to four weeks of that person being held in detention. Once the rule 35 has been done then it gets sent off to the Home Office for them to make a decision as to whether or not to maintain detention.

At the point of the Shaw report, the number of people that were released as a result of a rule 35 report that found they were a victim of torture was 15%. Now, in the last quarter, the number of people released as a result of the rule 35 report is still 15%. In terms of the safeguards that were meant to be put into place as a result of the Shaw report, nothing has changed in terms of the decision making. In fact, I think Home Office decision making on that point has got worse because what they now do is they will accept that someone is a victim of torture so they will say that they are an adult at risk, level 2, but they will say that due to the exceptional circumstances in your case you therefore must remain in detention. Those exceptional circumstances are a risk of absconding because you had not signed on once with the Home Office during a three-year period, or whatever it is. They accept that people are victims of torture, people have serious mental health problems but then say, "Due to these exceptional reasons, you are going to remain in detention".

The Home Office has this knack of using exceptional circumstances to mean what they want it to mean. Before they understood that they could only detain people, anyone, if there was exceptional circumstances, saying they could abscond or whatever it was, you had to justify it as a last resort, whereas now those goalposts seem to have moved where you first of all have to prove that you are a victim of torture and then after that they then have to use detention as a last resort. The statistics show that it is not working as a safeguard.

Kris Harris: I would expand a little on that. Your question is a very good one because what it highlights is that vulnerability is something that persists throughout the experience. It is not something you screen for at entry, it is something that may have been missed at entry. You have to do continuous updates to try to identify vulnerability and you need to have very strong safeguards in place. I have worse statistics than Tom does, which is, yes, at the point of the Shaw review it may have been around 15% but there was a lot of effort that went into improving rule 35 reports and the percentage of people released as a result of rule 35 reports went up from around 10% or 15% to as high as 30% or 35% at the time of the introduction of the adults at risk policy.



HOUSE OF COMMONS

It is a startling graph that on the date of the introduction of the adults at risk policy it just drops off a cliff and it falls straight back down to about 10%. It is echoed again in the HMIP report on Harmondsworth released last week, which said one-third of people in Harmondsworth are recognised as adults at risk under the Home Office policy, however less than 10% of people are released.

There is a growing awareness of if you are a victim of torture you should not be here, yet there is this balancing act of immigration factors. It used to be that people could only be detained when there were very exceptional circumstances. There is some jurisprudence to explain what that was. It was not always followed and they did try to define it how they wanted, but there was some jurisprudence on what it was. This term "immigration factors" is much, much broader and covers any compliance issues, which could be things like missing an appointment a few years ago. This is a balancing of you missed an appointment two years ago or you are a victim of torture, I think we will just keep you in detention. It is not, in my opinion, an appropriate level of assessment.

What is even more concerning when it comes to this ongoing assessment of vulnerability is that in order to now qualify for the level 3, which is the highest level of evidence within the adults at risk policy, not only do you have to show that you are a victim of torture, as you did before, you now have to prove that you are suffering harm in detention. It logically follows that you cannot prove that you are suffering harm until you are suffering harm. It leads to people in detention saying, "Yes, we know you are vulnerable to harm, we know you are likely to suffer harm, let's just see if harm happens". Then we wait and we wait until such point as harm happens, with the time delays in getting access to healthcare and the difficulties and quality of healthcare within detention, until a doctor will sign off saying, "I think this person has now deteriorated to a point that it is not responsible to keep them in detention any more" in which case they may qualify for highest level, which is equivalent to the very exceptional circumstances and may lead to release.

In my opinion, we are responsible for all that harm that happened. We knew that it may happen, we sat and waited for it to happen, it was recorded when it did and people were released. I think that is a completely unacceptable way of approaching vulnerability and the harm that it does to individuals in detention.

Q45 Kirstene Hair: Do you think, going back to the initial screening, there is a lack of ability for detainees to be open or do you think it is a lack of questioning from those that take that on?

Kris Harris: I think it is a toxic mix of both. These are not environments conducive to disclosing. Often people are taken to detention in the middle of the night or this the first time they have ever met anyone, they ask you a question as a tick box, "Are you a victim of torture?" What does that really mean? Does it mean being a victim of domestic violence? You will still qualify under the adults at risk policy. It is a very restrictive



HOUSE OF COMMONS

process. It is probably the most frightening. Voke's testimony of being taken to detention and what it felt like, and not knowing where you were and saying, "Is this prison? You cannot lock me up, I am afraid of the dark". That is not the situation where you can suddenly turn around and start disclosing the most awful memories of your life.

I think it is both. There has to be a process that supports people earlier on to disclose these things. There has to be more access to legal support, legal aid, more support throughout the immigration process, not just at the point where we think about detaining people and then we go, "Oh shit, this person might be vulnerable" but it ought to be question that flows throughout the whole process.

Gemma Lousley: If I can add to that. As I was saying earlier, before people are detained there is certainly a problem, these questions are just not being asked by the Home Office, they are not trying to actively identify people who are vulnerable. Also, to build on what both Kris and Tom have said in terms of rule 35, for our research we spoke to many women who had had rule 35 reports done. They had disclosed what had happened to them and the Home Office had accepted that but they had been kept in detention. HMIP went into Yarl's Wood last year and they looked at rule 35 reports, their assessment was that since the introduction of the adults at risk policy what has happened is that there are greater numbers of women being detained in Yarl's Wood who have professional evidence that they are survivors of rape, trafficking and torture but are not being released. They have the evidence but the Home Office is just not letting them out.

This problem, HMIP says, appears worse since the adults at risk policy at risk policy has been brought in, which is obviously very concerning.

Q46 Kirstene Hair: Do you believe the reviewing system only, in fact, works when a detainee becomes critical and then it is flagged to the highest level?

Gemma Lousley: Even in those circumstances I do not think that it is necessarily working. We spoke to women who had attempted suicide in detention and the Home Office was still refusing to release them but that should not be happening under a policy that is supposed to be safeguarding and protecting vulnerable people.

Chair: We have a couple of other areas we want to still ask you questions on. Apologies to our third panel that we started this one late and are now running a bit late. I am just going to ask for the remaining questions that we put to you, if you do not feel the need to answer every question if others have already raised those points or if you have raised those points in previous answers, to keep your answers relatively short, if that is okay.

John Woodcock: Just to take on Kirstene's questioning on the adults at risk policy. I have been listening carefully to what you have been saying,



HOUSE OF COMMONS

is it fair to say that in the level 3 issue where direct harm needs to be applied, that is clearly where the policy is currently written wrongly? Is it fair to say that you feel the rest of the policy is not necessarily wrong but it just being hopelessly deficiently applied in the screening and the way that exceptional circumstances are used? Does the policy need an overhaul or does it just need to be applied properly?

Kris Harris: I think the policy needs an overhaul without question. We said when the policy was first proposed that the mechanisms could not lead to the outcome that the Home Office wanted and I think all of our consultations were ignored and it proceeded anyway. The way that the policy is constructed, it is not just an issue with the way that level 3 evidence needs to be acquired but it is a general raising of the evidential burden, there is a general heightening of the threshold, there is a lack of mechanisms for reporting. I think there are fundamental issues with the adults at risk policy that is not about just implementation.

Q47 **John Woodcock:** Is that what all of you think? That is not the impression I had got. Perhaps I have been mislistening.

Gemma Lousley: When the adults at risk policy was first brought in we certainly had concerns about it. What we did really welcome is that it specifically said for the first time that survivors of sexual and other gender-based violence should not normally be detained and that there should be a clear presumption against the detention of vulnerable people. What we found in our research is that that is not being implemented in practice, that that presumption is there in policy but it is not being implemented in practice.

Tom Nunn: I think any policy would need to be a lot more prescriptive and have harder lines on what action the Home Office needs to take.

Q48 **John Woodcock:** That is helpful. Can I ask one more question on medical treatment? So much of this is caught up with deteriorating mental health and you have talked about the lack of proper application of rule 35. Is there any level of mental healthcare that falls below that in what we would class as general everyday mental health support, identifying depression, prescribing medication below that level?

Tom Nunn: I think there is. There is a lot of prescriptions for antidepressants and sleeping tablets. Doctors in these situations are in very difficult positions because often the cause of people's mental health issues is their uncertainty about their ongoing detention. I think that any doctor in that position is put in a really awkward position because the thing that would make that person better is not to be in immigration detention.

Gemma Lousley: In recent months a psychological wellbeing service has been developed in Yarl's Wood. When we have spoken to women about that service, some women have said that they feel that it helps them to



HOUSE OF COMMONS

an extent but it cannot possibly address or undo the damage that has been done by them being locked up.

John Woodcock: This is an aspirin when you have a broken leg.

Kris Harris: I think it is largely. The recommendations of the Royal College of Psychiatrists say this is not a therapeutic environment and, therefore, you cannot provide therapeutic services because people are not in a situation where they can engage with that level. I echo what Gemma said, that there are some good initiatives in low level mental health and wellbeing services but that is not where the problem lies.

Q49 **Sarah Jones:** You might all know the answers to my questions and agree, but I will ask them anyway because they are important. How effective is the Home Office in processing immigration casework and what impact does that have on the situation of people in detention? What is your experience of it, just briefly?

Tom Nunn: Very bad and I think that there are huge issues in decisions to detain and also the delay in people making decisions. I had a client recently who was waiting for an asylum interview. He had been in detention for over six months. One of the interviews was cancelled because the interpreter from the Home Office refused to take off his jacket. He had to wait for another three months to have an interview and that is while he is being held in detention. As I said initially, the Home Office does not act until something happens in a case. It seems like they just put people's cases on a shelf and it is only once someone makes an application for release that they get them down and then think, "I need to do something in this case". Often we will go to a bail hearing at which the Home Office will say the decision that the person has been waiting for in detention for over five months. There is no reasoning as to why it has taken that long or why it is so coincidentally happening that you provide the decision on the day when you are trying to get release and the day that you are trying to argue that the Home Office has these huge delays.

Q50 **Sarah Jones:** The proportion of people who are then released suggests faults in why we are detaining people in the first place. Do you have examples of specific circumstances where the Home Office has acted unlawfully in detaining people?

Tom Nunn: Yes. Recently—I think it was in the press—one of my colleague's clients, who is a father to four children and his wife was in Nigeria for her dad's funeral, went to report with the Home Office after dropping his children off at school. They said, "We are going to detain you". He explained to them that his wife was out of the country, that there would be no one to pick up the children. They said that did not matter. My colleague was on the phone to the person making the decision. He was detained. The children were picked up from school by social services and were kept in foster care until the mother was able to return from her father's funeral. I think he is still in detention now.



Gemma Lousley: We know that the release rates across the detention, people being released back into the community to continue with their case is really high. In Yarl's Wood it is particularly high. About 70% of the women who are released from Yarl's Wood are released back into the community to continue with their cases and for asylum-seeking women it is 85%. We do not have specific figures on this because the Home Office has said it cannot provide them but we know anecdotally a number of women who have been detained, sometimes several times, who have subsequently gone on to get their refugee status. Why they are being detained in the first place really has to be looked at.

Chair: Thank you very much for your evidence this afternoon. We really appreciate it and appreciate your patience as well.

Examination of Witnesses

Evidence taken in public:

Witnesses: Rupert Soames, Julia Rogers, Phil Wragg, and Karen Head.

Q51 **Chair:** Welcome to our third panel. We apologise for keeping you waiting this afternoon and thank you very much for your patience. We hugely appreciate your time this afternoon.

I will start with some factual questions and as you answer them please say who you are. We have been given some information from Serco, which we are grateful for, about some of the figures at Yarl's Wood, that you currently have 280 detainees, 230 of them are women, and of those 23 are foreign national offenders and 50 of those residents have been at Yarl's Wood for over 100 days. That is very helpful. Do you have the same figures for Morton Hall?

Karen Head: I thought we had submitted them to you.

Phil Wragg: We have submitted some data to you.

Chair: We will check. If we have those in writing that will be extremely helpful. Thank you very much.

Q52 **Douglas Ross:** I have to go to another meeting so I will have to go away after this but I will carefully read the evidence that you provide afterwards. Can I ask how independent monitoring boards work?

Julia Rogers: I am Julia Rogers. I am the Managing Director for Serco's Justice and Immigration business. Independent monitoring boards, as they sound, are a group of people who have volunteered to come and monitor the activities of, in my case, Yarl's Wood Immigration Centre. They elect their own chair. They have unfettered access at all times around the centre and are located in the centre. They are typically made up of about between six and eight people. They attend any part of any activity that happens in the centre. They are required to produce an



HOUSE OF COMMONS

annual report, which is then published and it is a matter of public record. They assess in a reasonably formulaic way all the aspects of delivery of service in the centre and all of the experiences of the detainees in the centre.

Q53 **Douglas Ross:** Do you think they are successful?

Julia Rogers: I think that they do a very good job. They publish very good and detailed reports. I don't think it is for me to say whether they are successful or not but they are a very important part—

Q54 **Douglas Ross:** Is there sufficient knowledge among the detainees about them?

Julia Rogers: Yes, absolutely.

Q55 **Douglas Ross:** Absolutely. No question about that at all?

Julia Rogers: I don't believe so, no, because the IMB members—

Q56 **Douglas Ross:** Had we spoken to detainees before we spoke to you, they would all say from the first day they arrived they know everything they need to know about raising concerns with the independent monitoring board?

Julia Rogers: That is one avenue for raising concerns, yes. The independent monitoring board holds sessions.

Douglas Ross: Sorry, just to get this on the record.

Julia Rogers: The independent monitoring board holds sessions.

Douglas Ross: No, sorry, I am going to ask you to confirm what I say so it is on the record. You are saying that as soon as a detainee enters into Yarl's Wood they are aware of the operation of independent monitoring boards, they are aware how to contact them, they are aware how these independent volunteers will interact with them, will take away concerns, will look at these concerns and report back. From the very first moment they get into these centres that awareness is highlighted to them?

Julia Rogers: On the very first moment that they enter one of our centres, that would not necessarily be the first thing that they are told. However, when they do enter our centres they go into an induction unit and during the time that they spend on the induction unit they are given an induction into the workings of the centre, which includes them being signposted and visited by members of the independent monitoring board.

Q57 **Douglas Ross:** Is everyone visited by a member of the independent monitoring board?

Julia Rogers: The independent monitoring board visits the induction unit. I can't answer whether they personally see every single member who is there.

Q58 **Douglas Ross:** For someone who does not know how it works, tell me



HOUSE OF COMMONS

how they are signposted. How does the signposting work? Do they get a bit of paper? Do they get told to look at a poster on the wall? How does it work?

Julia Rogers: All of the above. They have personal briefings. There are briefing sessions about the workings of the centre. We have a central post—

Q59 **Douglas Ross:** Sorry, I am focusing on the independent monitors. How does the signposting for that work?

Julia Rogers: We have posters in the central post room, which is where the ladies tend to gather, which signposts the names and the areas in which you can get support from the independent monitoring board. When they are inducted they are given briefings on how they can reach members of the independent monitoring board and the members of the independent monitoring board attend the induction unit to talk to the ladies.

Q60 **Douglas Ross:** Any other comments?

Phil Wragg: Phil Wragg. I am the interim Prison Group Director for IRCs at in particular Morton Hall and foreign national prisoners. I would agree with all of what Julia Rogers has said. In addition, detainees are able to make complaints to the independent monitoring board without our knowledge. There are boxes supplied around the centre.

Q61 **Douglas Ross:** How well used are they?

Phil Wragg: They are very well used.

Q62 **Douglas Ross:** Could you provide figures to the committee?

Phil Wragg: We could ask the IMB to provide those figures.

Q63 **Douglas Ross:** You are saying they are very well used, so you must know roughly how many complaints you are getting every week on that.

Phil Wragg: I couldn't say how many complaints.

Q64 **Douglas Ross:** How can you say it is very well used?

Phil Wragg: We are able to through meetings that we have with the IMB. They tell us the level of number of complaints that they have received and about particular subjects. The centre manager has a meeting once a month with the IMB and the areas of concern would be raised at that meeting.

Karen Head: Yes, that is correct. On induction at Morton Hall all of our detainees are given a personal briefing on the role and responsibilities of the IMB. They are given a leaflet that advises them what the IMB is there for, the fact that they can make complaints. IMB information is on all units in all communal areas for detainees to see and access. Complaint boxes are across the centre on all units in communal areas and IMB, as Phil said, are the only people who have access to emptying the complaint



HOUSE OF COMMONS

boxes. When they meet with me, the chair will raise any significant concerns or any areas of concern the detainees have raised with them and ask me and/or my senior management team any questions about any issues that have been raised.

Rupert Soames: I would echo Julia Rogers. My name is Rupert Soames. I am Chief Executive of Serco Group and Julia reports through the UK business to me.

- Q65 **Douglas Ross:** It may or may not surprise you but what you said, that this is a great system, there is nothing wrong with it, it is performing well, is totally different to the reaction we have had from the detainees who have given evidence to this Committee. It is interesting that it is not a grey area where you are not quite matching up. The distance between the two of you is quite stark and quite worrying. The figures you will be able to get from the independent monitoring boards to provide to this Committee will be very interesting for us to look into further.

Do operational staff wear cameras the whole time?

Julia Rogers: In our centre, yes.

- Q66 **Douglas Ross:** How do you monitor the usage of the camera? Could that camera be switched off without you knowing?

Julia Rogers: I don't understand about switching off. They are worn 24/7. Well not that you are on duty 24/7 but they are worn by everyone who is on duty. They are self-selecting, so you press the button to record an incident. If you don't it is not recorded.

- Q67 **Douglas Ross:** They are reactive to something?

Julia Rogers: They are reactive, yes. If they were turned off, as in they were not in a passive state ready to be activated, we would know about that but they do not constantly record

- Q68 **Douglas Ross:** What is your instruction to operational staff about using the cameras, when they should switch them on? What are you trying to catch on the cameras?

Julia Rogers: One of the instances that was raised earlier was entry into somebody's room. We have a protocol that says that anybody who wants to enter into one of our residents' rooms starts with a verbal instruction, "Please, may I enter your room?" If they do not get a response they then knock on the door. While this is going on, anyone who wants to enter a room would turn the camera on to record the interaction they have had. If they still do not get a response—because we enter rooms for many reasons, some of them welfare—they will then open the door to the room, but not enter the room. If the resident was, for instance, asleep that would be fine. You close the room. If the resident is in distress, they would go in and help the resident. There are protocols for those.

- Q69 **Douglas Ross:** Therefore it happens 100% of the time in these instances



HOUSE OF COMMONS

when you advise staff who work with residents to switch on the cameras? You will never do a spot check and find that one day someone entered into a room but did not switch on the camera?

Julia Rogers: If we have anybody who makes a complaint to us that someone has entered their room, and they have done so in a manner that is not according to our protocol, we will check that. We can check the camera footage.

Q70 **Douglas Ross:** How often have you checked and there is no camera footage?

Julia Rogers: I honestly do not know the answer to that question but I can find out.

Q71 **Douglas Ross:** I want to check another protocol. What about dealing with someone who is injured or needing medical assistance? Would that always be, "Switch on your camera because this may develop further and we want to make sure the treatment provided is suitable", if you find someone collapsed and so on?

Julia Rogers: We may have different protocols.

Karen Head: If it was as a result of an incident that people require medical attention then my expectation is that the camera would be switched on at the point of staff arriving at that incident, and would remain on until such time as healthcare staff arrived. If healthcare staff arrived and instructed us to turn them off, in terms of medical confidence, then we would move away from that scene.

Q72 **Douglas Ross:** You started off by saying, "if it is as a result of an incident".

Karen Head: Yes. If there was a fight, for instance.

Q73 **Douglas Ross:** What if someone is just slumped unconscious on their bed or something?

Karen Head: No, then we would not necessarily turn that on as a matter of course.

Q74 **Douglas Ross:** That person is extremely vulnerable at that point. You do not think that would be a time when you would want to ensure that if anything is reported subsequently you have a solid record of what happened with that vulnerable individual?

Karen Head: It depends on circumstances. I am not saying it would not ever happen.

Douglas Ross: It is not your protocol.

Karen Head: It is a judgment call for staff. They have an element of making their own judgments sometimes when they go to a scene, whether they need to turn a camera on.



Phil Wragg: I do not think we need to be confused here about what body-worn cameras are about. The idea is protection for a member of staff but also protection for a detainee too. Our position is that body-worn video cameras are ordinarily turned off, unless a situation is deteriorating and we would then turn the camera on.

It can be quite off putting for a person to have a device on someone's shoulder blinking in their face when they are trying to have a conversation with a member of our staff. I can absolutely see the instance when dealing with a detainee who is in a slumped position that we would not turn the camera on automatically, because our intention first of all is to ensure we are rendering aid and assessing the situation for that person. We would not be thinking about turning the camera on first.

Q75 **Douglas Ross:** Ms Rogers, you were saying you might have different protocols.

Julia Rogers: I agree. The first order of everything we do is to look after the individual. If they were in a medical emergency then the first thing we would be doing is calling down the medical staff and getting them the assistance they needed. As I say, the cameras are things the staff switch on when they feel they need to. We have protocols for when they do. Yes, if it was a medical emergency they would. Our staff also spend all of their time caring for people in the centre and they will use their judgment as to whether, outside of our protocol, there are other areas where they feel they need to put the camera on.

Q76 **Douglas Ross:** My final question, as well as information for the independent monitoring statistics will you be able to provide this Committee with the number of complaints that have been submitted where you look for CCTV evidence but the cameras had not been switched on? I would be very interested in incidents where there is a complaint if the camera had been used or not.

Rupert Soames: With great respect, I do not know how many CCTV cameras we have across Yarl's Wood but it would be tens, recording 24 hours a day. The purpose of these is as much to protect the residents as the staff and to give a record.

We also have to have some trust in our staff that they will take the right decisions about when they turn them on or not. These are not people who we expect to follow a rigid protocol to the word, 100% of the time. When you ask questions like, "Can you guarantee 100% of the time that this has happened?" our people use their nous, their sensitivity. They are professional. They are caring for people. In appropriate circumstances these are a great advance in the way that recording police interviews is. They are protection for both sides. They show what actually happened.

Very often it is not appropriate to turn them on and we have to give our colleagues the space to make that judgment for themselves.



HOUSE OF COMMONS

Q77 **Douglas Ross:** Yes, but, with respect, my question came from the point made by your colleague. If you were listening to her evidence, she said that when there is a complaint you go back to check the CCTV image.

Rupert Soames: We do.

Douglas Ross: Therefore my question is quite legitimate. When you go back to check the CCTV image will you tell us for how many complaints there is no CCTV image?

Rupert Soames: CCTV or these?

Douglas Ross: That, because that is what you go back to check.

Julia Rogers: Body-worn.

Rupert Soames: If it is possible, we can.

Q78 **Douglas Ross:** It must be. Can I ask you, Ms Rogers, is that possible?

Julia Rogers: We do absolutely check them. I will do my best.

Douglas Ross: Perfect.

Q79 **Chair:** That will be helpful, thank you. We have asked you to give evidence because we have heard some very disturbing testimony from people who have been held in asylum detention, including people who have been victims of torture who have then been traumatised again in detention and who have had some very troubling experiences.

We recognise that some of the issues they raise are matters for the Home Office and are issues of policy. However, some of them are also about the kinds of treatment they have received and their experiences in detention itself. That is why we are very keen to hear from you. For Yarl's Wood, there have been particular concerns raised, both the issues that were raised a couple of years ago and also more recently with the hunger strike. Obviously there was a very disturbing series of deaths in Morton Hall as well.

If we can start with Yarl's Wood and the hunger strike, can you tell us how many people are on hunger strike at the moment?

Julia Rogers: We have no people on food or fluid refusal in Yarl's Wood at the moment.

Q80 **Chair:** How many people have you had on a hunger strike?

Julia Rogers: May I take that in two parts, please? We have a number of people who routinely, throughout their time with us, will miss a meal. We have a system in our dining room where for every person who comes to present themselves for a meal three times a day—breakfast, lunch and dinner—we have a biometric system and we ask them to show they have been there. It is very important to us that, from a welfare point of view, we can monitor that people are attending the dining room and eating.



HOUSE OF COMMONS

We have had a maximum of 81 people who were not attending for all three meals. However, every single one of those people—and I can prove that because we equally have a system that operates for people to buy items from the shop in Yarl's Wood, which they can then cook and prepare for themselves because we provide microwaves, toasters and other accoutrements in the residential units—were purchasing food items from the shop. There have only ever been five people, and only for very short periods of time, where they were neither attending for meals in the dining room and nor could we see they were purchasing food from the shop.

In terms of what we do with that, I use the term food and fluid refusal, there is a very well-laid down protocol. If we believe we have an individual who has been refusing food and fluid for 48 hours, they immediately go onto a different type of system whereby we monitor them with the aid of healthcare to make sure they are not suffering from a medical point of view. Our healthcare colleagues support us in that. Then we talk to them. As soon as we know someone is missing meals, either all meals or routinely missing meals, then the protocol is that our staff will have a conversation with the individual to find out if there is a reason why they are doing so.

On this occasion we have had very many more people than normal who are not routinely eating. We are now on 13 people. When I say routinely, it is not completely refusing but missing meals. They are very clear with us that the reasons for their protest are not to do with Serco, with us and our care, but they were to do with policy.

Q81 Chair: I am muddled about the figures. You said you have nobody and then you said you have 13?

Julia Rogers: I have nobody who is completely refusing food and fluid. There are 13 women yesterday, because they are my figures, who did not attend for one meal.

Rupert Soames: For one meal.

Q82 Chair: What welfare support are you giving people who are refusing any meals at all in any of those circumstances?

Julia Rogers: In terms of welfare, as I say, they are medically assessed. Clearly that is one of the most critical considerations. Our medical staff will assess if they need to be supported in any way. If their health has deteriorated for instance, our medical colleagues would be seeking outside medical assistance if that was required.

In terms of general wellbeing, we liaise with numerous people. We have numerous agencies, as you have heard, who are welcome to visit people in the centre and befrienders. We have safeguarding boards, which are joint safeguarding boards with Bedfordshire County Council. We have a quarterly meeting between Bedfordshire Safeguarding Board, the local hospital safeguarding board, ourselves and the police, in which any



HOUSE OF COMMONS

particular vulnerable cases are discussed. We have a number of different agencies, protocols and meetings to make sure individual cases are discussed as far as it is proper for us to do so. Clearly we will not always be able to have the medical information.

Q83 Chair: What is done about raising those cases with the Home Office?

Julia Rogers: The Home Office is part of those meetings. We have an onsite Home Office monitor. There is an onsite Home Office team.

Q84 Chair: We heard very disturbing reports of people being threatened with immediate deportation because they were on hunger strike, accelerated deportation, threatened with being deported, being effectively force-fed as part of that process as well, and people fearing that was going to happen. Can you say what you are aware of?

Julia Rogers: On the second point, about being force-fed, absolutely not. On the former one, about letters, yes, I am aware that letters were sent because that forms part of a process. We have something called a DSO, a detention service order. As part of that laid-out protocol, which was put in place I think in November 2017, a letter from the Home Office is the final part. The determination of the sending of that letter is not in our gift, it is a determination by the Home Office.

Q85 Chair: Are you aware of those decisions being accelerated because of people being on a hunger strike?

Julia Rogers: Personally, no. We do not get the information on case work, the management of someone's individual case and the circumstances surrounding it.

Q86 Chair: Just coincidence?

Julia Rogers: I am not aware of anyone's accelerated leaving of the country. In fact, the five—I will have to check—have left Yarl's Wood but were not deported.

Q87 Chair: Is it possible that a member of staff at any point could have made remarks about people being deported on a drip or anything like that?

Julia Rogers: I would not know. No, not to my knowledge.

Q88 Chair: Were that to happen, what would your response be?

Julia Rogers: We would immediately investigate that as it is not appropriate. Any complaints we have, any issue we have, we immediately respond to. Any misconduct that has ever been reported, we immediately respond to. If it is very serious then we would involve the police on all occasions and have done.

Q89 Stephen Doughty: Karen, I want to ask some questions about Morton Hall in particular. We have looked at the 2016 reports and also the HMIP report. Obviously the IMB report raised a series of issues about a more volatile and unsettled population; staff concern about rising levels of



HOUSE OF COMMONS

verbal abuse, aggression and violence; the impact of ex-foreign national offenders on detainees and staff; and problems with drug abuse that we have talked about on other panels. It made clear also that every effort was being made to ensure the decent and humane treatment of detainees in safe and secure surroundings.

The HMIP report also talks about the levels of violence and antisocial behaviour having increased. Obviously most concerning, to myself and other members of the panel, are the four deaths that have occurred between December 2016 and November 2017. Have there been any further deaths since that most recent death in November.

Karen Head: No.

Q90 **Stephen Doughty:** Have there been other suicide attempts or other serious instances of self-harm?

Karen Head: The majority of our instances of self-harm are fairly low level. While not minimising those, because they are acts of self-harm, they are superficial cuts, head banging and things like that. No serious attempts. The data shows that the majority of our instances of self-harm are low level.

We did have a man who made an attempt at a ligature within the last three months or so and had to be treated onsite. There was no removal to hospital so treatment took place onsite. That has been the only incident of serious self-harm at the centre.

Q91 **Stephen Doughty:** The four deaths, were they suicide or detainee to detainee?

Karen Head: Two were self-inflicted by ligature and two were natural causes but obviously they are all still subject to inquest. We have an inquest next month and one scheduled for September. For the other two we are still waiting for PPO reports and inquests to be set.

Q92 **Stephen Doughty:** In terms of the concerns that were reflected in the two reports—increased levels of violence, antisocial behaviour, drug use, a whole series of things—what in your view are driving those within Morton Hall?

Karen Head: We are required to manage some risky individuals. We have an element of the population who have violent histories and a history of offending. It is not necessarily just about foreign national offenders. We heard earlier that we do have men in detention who come in from the community and sometimes we do not know a great deal about them. They may have histories of violence in their own countries that we are not aware of. Therefore there is that mix within the population.

There is an element of frustration within the centre at being in detention and an element of anxiety in terms of the unknown; there being no end date to detention and not knowing when they are going to be released.



HOUSE OF COMMONS

Some of the triggers for acts of violence, and certainly acts of self-harm, have been things like being served with removal directions, being told you have had your bail refused or being told your avenues of appeal have been exhausted.

We have done an awful lot of work in the last 12 months to improve our safety. Our statistics show that levels of violence are reducing. There is not a lot of incidences of serious violence, again they are lower level. Our statistics also show us that levels of self-harm are reducing. We have put in place lots of governance assurance around managing people who are at risk of suicide and self-harm. Obviously we have the ACDT process. We monitor vulnerable adults on vulnerable adult care plans. We have an anti-bullying strategy that includes monitoring victims of bullying or violence, and also monitoring and supporting those who are responsible, the perpetrators of violence. If we have people that are under the influence—we do have psychoactive substances in the centre that can cause violent incidents—we monitor those through a substance misuse log and provide them with support. We have two fulltime drug workers in the centre who pick up everybody who is found under the influence or, indeed, in possession.

Q93 **Stephen Doughty:** Where do you think the drugs are coming from?

Karen Head: I know where my drugs are coming in from. I do not know if you are familiar with the Morton Hall site, it has a very large footfall. We are surrounded by farmland and woodland. We have some vulnerabilities on the perimeter fence where members of the public are able to access and throw over illicit substances into the centre. We know that is one of the main routes in.

Stephen Doughty: What are the other routes?

Karen Head: Through the mail and in parcels. We are not able to monitor or open mail. Unless we have specific intelligence or unless we find somebody in possession of an illicit substance we are not allowed to open any of the mail when it comes into the centre.

Q94 **Stephen Doughty:** Have any staff been picked up for bringing in items, do they?

Karen Head: No, not at all.

Q95 **Stephen Doughty:** Have you asked for additional support from the Home Office to deal with those vulnerabilities, the security around the site and the scanning of mail and so on?

Karen Head: Yes.

Q96 **Stephen Doughty:** What was its response?

Karen Head: If I could say as well, we know that visitors try to bring substances into the centre. If we catch them then the police are called



HOUSE OF COMMONS

and they are arrested and taken away. We have had people charged with bringing in illicit substances.

Around safety, we put in a bid for additional funding for additional staff. I now have an increase in staff in the centre. I have a supervisory officer on each unit. We have an increase in prison officers.

Q97 **Stephen Doughty:** Since when?

Karen Head: This is within this financial year. We have increased our staffing levels.

Q98 **Stephen Doughty:** In terms of physical security improvements for the site?

Karen Head: There is extensive CCTV around the centre. We have a bid in for additional CCTV on the perimeter alongside lighting to try to put a deterrent in for people approaching the fence. We need to cordon off another area of the centre to prevent throw-ins. We are in the process of waiting to see if the bid for that money has been successful. We are about to purchase an X-ray machine to enable us to put mail through without opening it, which will detect illicit substances.

Q99 **Stephen Doughty:** Can I take you back to the wider issues? In terms of the incidents of violence between detainees, complaints by detainees about staff behaviour and vice versa, complaints by staff about detainee behaviour, can you give us a flavour of the number of complaints you are dealing with or the number of incidents overall that involve any kind of violent behaviour or physical harm to others?

Karen Head: Not necessarily complaints but certainly incidents. It does not need a detainee to make a complaint about an incident of violence. As I said, we have extensive CCTV about the place.

Q100 **Stephen Doughty:** How many incidents of violence have you had in the last year?

Karen Head: I am sorry, I do not have those exact figures.

Stephen Doughty: Could you provide those?

Karen Head: Absolutely.

Q101 **Stephen Doughty:** Do you have specific figures on complaints that are raised by detainees?

Karen Head: Not year to date, not for a whole year's worth of complaints. In relation to violence or in general?

Stephen Doughty: No, all forms of complaints. I would be interested to know your statistics on actual physical violence and also all complaints. We have heard some quite serious and concerning evidence about psychological abuse and bullying by staff from detainees. I would be interested to know what you have on a monthly or weekly basis.



HOUSE OF COMMONS

Chair: We will follow up in writing to clarify what figures it would be useful to have.

Q102 **Tim Loughton:** How long have those body-worn cameras been in use at Yarl's Wood?

Julia Rogers: Since 2015.

Q103 **Tim Loughton:** I think you were in the room when we had some previous witnesses recounting some cases of what they referred to as quite serious abuse. Yet we have also heard from witnesses that there is never any evidence to go with it. Therefore nothing gets done about it until undercover journalists go in and do an exposé, as they did in Yarl's Wood in 2015 and Brook House last year. Why does it not get recorded?

Rupert Soames: Can I take the opportunity to raise the issue of the HMIP reports? Since 2015 Yarl's Wood has been reported on by the NAO, the Shaw Report, HMIP and IMB. The reports are extremely good and encouraging. The Shaw Report said the centre is well ordered, well managed and hugely improved. The HMIP report said, "Inspectors came away from Yarl's Wood impressed by the progress the centre has made. The leadership and staff could and should take much credit. Significant steps have been taken to create an environment that is appropriate for an immigration removal centre." The IMB highlights improvements in healthcare and mental health provision.

Interestingly enough, in the survey by the HMIP inspector 87% of the people who responded said they felt they were treated with respect by the staff.

Kate Lampard, who I commissioned to do a report after the undercover filming, spent nine months writing a report. She was in the centre for three months. She came in during the day, the night, whenever. Her conclusion is, "We do not believe there is a hidden or significant problem of serious misconduct or of inappropriate staff behaviour".

I appreciate that you have heard some evidence, I have not heard it. I do not know what the circumstances are about it. We can fall back on independent reviews that people who come into Yarl's Wood say it is not an abusive place, it is not a place where misconduct or abuse is tolerated.

Q104 **Tim Loughton:** You have heard it, Mr Soames, because you were here when the previous witnesses from some of the charities referred to serious incidences of abuse, including some sexual abuse.

At either of the institutions you look after, how many members of staff have been disciplined, dismissed or even prosecuted as a result of assaults?

Julia Rogers: Five. In the past five years we have had five individuals who have been either dismissed or taken forward for prosecution. Three of those were the subject of a criminal trial and all three of them were found not guilty. We have had five other members of staff—so 10 in



HOUSE OF COMMONS

total—who have been dismissed from Yarl’s Wood for other dismissible breaches not related to mistreatment or sexual abuse, but to procedural-type normal course of business errors. Therefore in five years, five. In that time we will have had some 20,000 ladies through the centre.

Q105 Tim Loughton: The five that were taken forward, which related to treatment of residents, were to do with what and what level of severity?

Julia Rogers: For the three who faced a criminal trial, one was charged with rape and three of them were charged with misconduct in a public office. As I say, all of them were found not guilty by a court of law. The other two were for sexually inappropriate behaviour. All of these cases were referred to the police. We always refer these cases to the police. They considered there was not enough evidence to take forward for a criminal prosecution. They went through an internal inquiry and were dismissed from Yarl’s Wood. Five people in total.

Q106 Tim Loughton: The criminal prosecutions happened how long ago?

Julia Rogers: The three individuals were reported to the police in 2012 and the trial was in 2017.

Q107 Tim Loughton: At that stage you did not have body-worn cameras but you did have general CCTV?

Julia Rogers: In 2012, yes.

Q108 Tim Loughton: Was there any CCTV footage that was available as evidence in those trials?

Julia Rogers: I was not around at the time. I genuinely do not know but I can find out.

Tim Loughton: It sounds as though there is not because it could have been quite definitive if it were.

Rupert Soames: We need to be quite careful about people being found not guilty. They did go to trial. They were found not guilty. However, they were dismissed.

Q109 Tim Loughton: I understand that. I am not referring to those individual cases. The point I am making, which is the point that the earlier witnesses made, is that there are two reasons these incidents do not get taken forward. First is the lack of evidence they are able to produce. If the camera coverage were as extensive as we have heard then it is odd that evidence is not available. Secondly, there is the natural caution by residents—we went down a similar route, Mr Soames, when we had you in front of us before regarding asylum accommodation—that they do not want to complain because it might worsen their situation. In that case it was that they would not be able to hold onto their accommodation, and in this case that they might have an expedited deportation or whatever.

This comes back to the point we have raised earlier about how genuinely effective is a complaint procedure, on the lower levels of inappropriate



HOUSE OF COMMONS

treatment—cases we have heard of people not being able to get meals that is nothing to do with hunger strikes—through to people being effectively hassled and not taken seriously when they are self-harming, through to more serious incidents of abuse. Are they able to complain to somebody who is genuinely independent who, according to the evidence you gave to Mr Ross, that should be aware of that procedure and are able therefore to get a fair hearing and something done about it? The evidence we get from some of the cases—and we have only heard from a few cases, obviously, and you look after a lot of people, as you said, Mr Soames—there seems to be a disconnect between people who have had inappropriate behaviour right through to abuse and have been reported and taken up.

Rupert Soames: Can I refer you to the Lampard report on this? There was a comment saying that the HMIP, when they turn up, everybody is on their best behaviour? I do not believe that. I do not think it is true. They have unannounced inspections. They do not know they are coming.

But Kate spent, as I said, 9 months writing a report. She spent an enormous amount of time with the residents and with staff. She went into great detail about the number of complaints and how they had been treated. Her conclusion was absolutely categorical, which was complaints were not being covered up, they were not being hidden, they were being properly investigated.

I can only take the evidence of my eyes and ears and talking to my colleagues and also Kate's evidence and all the other evidence that we have. I am not going to fall into the trap of saying we are 100% perfect. I am not going to fall into the trap saying 100% of detainees, the first thing they do is to be given a briefing on the IMB. I cannot do that. We work with human beings who are meant to take a responsibility for their actions. But Yarl's Wood is staffed by people who are decent and professional. It is a huge tribute to them that 87% of residents said they felt they were treated with respect by the staff there and 70% of them said that they felt there was a member of staff that they can go and talk to. On top of which there is the IMB.

Come to Yarl's Wood and see. It is incredibly well signposted. We even have the Serco hotline. We have all the religious support. We have the befrienders. We have a number of people coming. The opportunities to talk. The other residents: people do not operate in Yarl's Wood. Everybody in Yarl's Wood are in a community and very often we may get intelligence that somebody is upset or disappointed, is sad, from other residents.

Q110 **Tim Loughton:** Can I just come back to you? I do not know how Kate Lampard prepared her report but the same cautions about giving evidence may apply to her, just as any other member of staff. You say that 70% of residents said that they felt comfortable there was somebody they could confide in.



HOUSE OF COMMONS

Rupert Soames: That was specifically referring to staff at Yarl's Wood and it was from the HMIP survey, which was done recently.

Q111 **Tim Loughton:** It was people having to tell the Home Office that they were well looked after or there was somebody that they could confide in, so not an independent person, but even if that were the case that leaves 30% of a total of 20,000. So it is 6,000 people who felt there was not somebody they could confide in or a lesser amount against the 87%. That is still quite a lot of people, even if everybody did come forward and say, "Hold on, I am not happy" and taking into account those who would not want to say anything was wrong because it was a Home Office report in this case that was doing it.

Julia Rogers: HMIP is independent. They do not work for the Home Office.

Q112 **Tim Loughton:** We have heard there is a general confusion and lack of trust as to who is working for somebody who could influence their case. Do you acknowledge that that is a consideration of people coming forward with a serious complaint?

Julia Rogers: Yes, I do because I am sure that sometimes the residents in the centre are concerned about those things. We go to great lengths to explain to them that we are there for their welfare and their wellbeing. We, in Serco, have no influence—none—on their immigration status or their case. We do not know their immigration status. We do not have access to their case. We do not have details of it and nor should we. Our sole purpose is to look after the ladies in our care for the time they are with us. We do tell them that. The extent to which they believe us I cannot answer for. That is a fact. We cannot in any way influence their case and equally—

Q113 **Tim Loughton:** But finally on that point, because you acknowledge that there may be a reluctance, is there a better way of doing it so that there is a genuinely independent body of people who could genuinely have better trust and understanding with those residents who perhaps do not understand the system—notwithstanding the description you have given them, how they have their inductions or whatever—that if you were running the Home Office side of things you would do it different that would give no doubt that those people could rely on somebody and come forward with genuine complaints about all scales of abuse or inappropriate treatment that is different to the way it is done now? Or is it as good as it can get?

Julia Rogers: I do not know who that would be. We have an independent monitoring board. They are independent of us and the Home Office. All of the residents in Yarl's Wood have access to mobile phones. They have access to the internet. In our post room we signpost them to whistle-blowing hotlines, we signpost them to the NGO organisations, we signpost them to befrienders, we signpost them to the chaplaincy, we signpost them to legal advice, we signpost them and give them access to



any means that they wish to have to communicate with anybody that they wish to communicate with about how they feel or any complaints that they have. That is a fact. So you come into our centre and those ladies have absolute free, unfettered access to those things. They do contact those bodies.

Q114 Kirstene Hair: I wanted to move on to specifically vulnerable people in detention. From your experience, has the Government's adult at risk policy achieved aims of reducing the number of vulnerable people on detention? Just a little brief answer from all of you.

Karen Head: It has identified adults at risk in detention. I do not know that it is necessarily reduced.

Phil Wragg: It has helped to identify specifics but it has not reduced the number of people who are coming into our care. I do not think that the ability is there for it to be able to do that.

Kirstene Hair: Can you expand on that a little?

Phil Wragg: Yes, so we receive people into our care who have quite a chaotic background that they bring either from the community or coming directly to us from prisons. While the safeguarding policy helps us to focus in on particular areas of vulnerability, it is not going to move that person into another care environment that people might suggest would be better met to manage their needs. So what it does, it allows us to focus in on the person and what their care needs are but it is not going to reduce the number of people who are coming to us, if I heard your question correctly.

Julia Rogers: I would broadly agree. We have slightly different profiles of people. We do not have the same profile as for national offenders and we certainly do not have the violence issues.

The process requires the upfront screening, as you have already been given evidence to. The upfront screening is done by a mixture of the Home Office and medical practitioners. By the time they come to Yarl's Wood—in my case, which is the only centre we run—they would have been through a level of screening. If you are asking me whether I have more or less people who are vulnerable, we have a consistent amount of people broadly who are vulnerable. I would say that all the ladies in Yarl's Wood to some extent are vulnerable. We treat every one of them as though they were so and give them our best care. But by the definition of vulnerability we are broadly at the same numbers.

Q115 Kirstene Hair: Do you think that initial screening process is adequate?

Julia Rogers: It is an interesting and difficult question to answer. It is adequate in the sense that it follows a protocol to illicit information but you cannot get somebody to tell you something they do not want to tell you. Quite often, if you look at Yarl's Wood, when ladies—your exact point Mr Loughton—become more comfortable and get to know the staff



HOUSE OF COMMONS

and build trust with somebody, so they get to see the same ladies who are looking after them in their units, very often the very first time they will talk to somebody about maybe their past circumstances is when they have been with us for a short time. So they did not declare that in the screening and there is nothing you can—I do not know how one fixes that because it is personal information, and it is private. It is only when someone is willing to share that that we can deal with that. Of course when that happens immediately we would then swing into action and they would be safeguarded and all the other protocols that go around that. It is a genuinely difficult question to answer.

- Q116 **Kirstene Hair:** Do you think there should be a review process in place in each of these centres so that in an instance they maybe do not feel comfortable because they do not trust the person enough at the beginning, that maybe over time that you continually review that? There is the screening at the start but then it seems to be a little bit grey as to what happens thereafter.

Julia Rogers: There is not a formal screening process thereafter but it is the rapport that is built between our staff and the ladies in our care where they will come to the stage where they trust you and start to tell you. I am not sure that a system or a process would make that any more or less effective because it is not a question of it having a process. It is a question of building a rapport with somebody.

- Q117 **Kirstene Hair:** Do you think there is always action taken when there is a vulnerability identified? Even if it is at a later stage?

Julia Rogers: Yes. If we have identified, someone comes to us with a vulnerability there is—we can provide it if you wish—a whole protocol around. We would then refer them back for an assessment through the medical staff. We have joint safeguarding boards with—so again to your point, Mr Loughton, about people coming into the Better Safeguarding Board and also the Hospital Safeguarding Board and the police. All of those agencies are involved in monthly and quarterly and lots of frequency meetings around specific cases and, in general terms, about how safeguarding arrangements operate.

- Q118 **Kirstene Hair:** But there is still an instance whereby there could be a vulnerability identified but they would remain in detention?

Julia Rogers: That could be the case.

- Q119 **Chair:** How many identified victims of torture do you have at the moment?

Julia Rogers: I do not know.

- Q120 **Chair:** So you do not know how many people in Yarl's Wood at the moment have been identified as victims of torture while they are still being held at Yarl's Wood?

Julia Rogers: I do not know, I will find out.



HOUSE OF COMMONS

Q121 **Chair:** Do you have that figure recorded though?

Julia Rogers: I am not clear. We will have a number recorded. If they have presented with that as a factor then yes, we will because they will be on the Safeguarding Board. There may be other ladies that we do not know about because they have not yet declared it.

Chair: At Morton Hall?

Phil Wragg: We do not have the figure with us, but I am told we have the figure recorded.

Q122 **Chair:** This feels like one of the most important things to know and also one of the most important things that would trouble anybody, if we are concerned about vulnerable people being held in detention. I am very concerned that you do not know those figures or even know roughly what proportion of those people you have in detention are victims of torture, or at least have been identified as victims of torture.

Rupert Soames: Who have self-identified?

Chair: Who have been identified as part of the system.

Rupert Soames: We will get you that information about how many are under rule 35.

Q123 **Chair:** Do you know how many of those that you have in detention have been identified as adults at risk? A rough ballpark percentage of how many of the people that you hold in detention are adults at risk?

Karen Head: Adults at risk under the Home Office policy: currently in Morton Hall level 1 35, level 2 64, and none at level 3.

Chair: Say that again?

Karen Head: Level 1 35, level 2 64, level 3 nil.

Q124 **Chair:** That is out of how many people in detention altogether?

Karen Head: Our maximum is 392.

Q125 **Chair:** Those that you have who are still in Morton Hall but who identified as adults at risk, do you have concerns that many of them should not be there?

Karen Head: It is usually those that are at level 3 that are deemed to be at the highest risk and should not be in detention. Level 2 is quite broad and around people that get allocated into level 2, and the allocations and the determination for the levels are made by the Home Office, not by us. Level 1 is those that self-declare a vulnerability.

Q126 **Chair:** But you see people every day so you are having to deal with people who are in detention. Do you have concerns that you have people who are in detention who are vulnerable, who are at risk, and who should not be there?



HOUSE OF COMMONS

Karen Head: Yes; on occasions, yes.

Q127 **Chair:** When that happens, what is your procedure? What do you do?

Karen Head: If we are managing or monitoring people who are vulnerable—and they may not be on the Home Office adults-at-risk database, it might be that we have identified them—we discuss, every week, people who are vulnerable, we review what levels we have in the centre, if there is anybody showing any particular concerns, and we place them on a vulnerable adult care plan and monitor that. We raise our concerns and ask for caseworker input. We will refer people back to the Home Office and ask specific questions around the reasons why they are in detention, around their vulnerabilities, and ask for input from the case manager to review, ask them why they are in detention.

Q128 **Chair:** You do ask for cases to be reviewed.

Karen Head: Yes, and our healthcare workers in the mental health team are usually the people who engage with caseworkers and the Home Office around raising concerns about people who are vulnerable.

Q129 **Chair:** How many cases a month do you estimate that you ask to be reviewed because you are concerned about the scale of risk score, that people should not be there any longer?

Karen Head: Maybe four or five a month.

Q130 **Chair:** At Yarl's Wood?

Julia Rogers: My apologies to the Committee; I am not the centre manager, luckily. Karen is a centre manager. I genuinely do not know but I will find out for you.

Rupert Soames: We will try to get the information for you.

Q131 **Chair:** That would be extremely helpful because this does seem to be a crucial piece of information. What we would also like to know is how many cases you refer for further review, where your staff identify that somebody is at risk and should not be there any longer and how often you would ask for that to be reviewed. Also, do your staff ask for rule 35 assessments to be done?

Julia Rogers: I can answer that question. We have exactly the same protocols, because they are the protocols, so there is the weekly review with the multi-agency, and yes, we can. If they self-identify, as I mentioned in response to an earlier comment, that is what we do. We would then send them back to the medical practitioners for the R35 review.

Q132 **Chair:** How many of those do you ask for a month?

Julia Rogers: Again, I am not close enough to the detail. I apologise.

Q133 **Chair:** Do you know how many rule 35s you ask for a month?



HOUSE OF COMMONS

Karen Head: No, I do not.

Q134 **Chair:** Again, that would be very helpful to know.

How long do the rule 35 assessments take at the moment, in Yarl's Wood and in Morton Hall?

Karen Head: There is just over a two-week waiting list in Morton Hall for the report to be prepared by the doctor.

Q135 **Chair:** Is that two weeks in order to be seen by the doctor or two weeks for the report to be completed by the doctor?

Karen Head: Two weeks to be seen. The report is prepared afterwards.

Q136 **Chair:** Two weeks to be seen, for somebody who might be a victim of torture, who might be being completely traumatised by the very fact of being locked up, and who should not be there in the first place.

Karen Head: If it is an appointment specifically for an allegation of torture discussion, that is likely to take two weeks, but it does not take them two weeks to see the doctor. They see a doctor within 24 hours of arriving at the centre. They will see a nurse when they come into reception and they are asked by the nurse during the induction process about allegations of torture. If there are significant concerns around mental, or other concerns, we endeavour to get them to see the mental health team immediately, on the same day if we can, or the next day. There is usually a maximum of five days' wait to see a member of the mental health team.

Q137 **Chair:** Five days' wait?

Karen Head: Five days, yes, to see a member of the mental health team, unless it is deemed to be urgent, on assessment by the nurse, then they would see the doctor within 24 hours of arrival at the centre.

Q138 **Chair:** At Yarl's Wood?

Rupert Soames: I apologise for not knowing the numbers under rule 35. I personally have been very much focused on the mental health aspect, and clearly there is a crossover between people who are traumatised for one reason or another. One of the things identified in 2015 as part of the Lampard review was that the mental health provision was not sufficiently developed so we run a series of training programmes on mental health for our staff, how to approach people, and how to identify people, who are having mental health issues. At the same time, the NHS has greatly upgraded its ability to deal with mental health issues, as a result of which the number of people who have been sectioned from Yarl's Wood has gone up quite considerably in the last year because we are able to do something about it.

Q139 **Chair:** What is the waiting time for either a rule 35 or a mental health assessment?



HOUSE OF COMMONS

Rupert Soames: There is a psychiatrist who comes every week at least, but they can be seen by people who may not be mental health qualified psychiatrists, but are trained pretty much—there are people around all the time.

Q140 **Chair:** My concern is that we have people who maybe should not be in detention at all, either because they are victims of torture or because they are adults at serious risk, and they just should not be there at all. What I am trying to work out is from them first arriving, how long does that process take, if they maybe should not be there in the first place? We are identifying that at Morton Hall, it seems to be at least two weeks, and that is presumably even before it has gone on to the Home Office for them to make a decision. How long does it then take at the Home Office?

Karen Head: They should respond, I think, within three days of receiving the report,

Q141 **Chair:** Do they?

Karen Head: No.

Q142 **Chair:** What do they normally do?

Karen Head: Sometimes they do; sometimes, they do not.

Q143 **Chair:** What is the average?

Karen Head: I think it is three days. Perhaps there are colleagues in the room that could—it depends. There is no average. Some get a quick response; some wait a couple of weeks or so.

Q144 **Chair:** Yarl's Wood?

Julia Rogers: We have exactly the same protocol. They come; they are triaged; they see a doctor within 24 hours. In terms of the actual waiting time for R35, again I will have to go and get those figures. I am struggling slightly, and I apologise for it, because we are not the healthcare providers, so I need to go and liaise with colleagues about the data. I could give you the adults-at-risk numbers, I have them now, if that would be helpful.

Q145 **Chair:** We will take them in writing now because we are short of time.

The HIP 2017 Yarl's Wood report identifies casework that includes reports taking eight weeks to finalise rule 35 reports from the start to being completed. Eight weeks for somebody who maybe should not be in there in the first place feels pretty shocking. I am trying to understand why we have these long delays, whether that is normal, whether you are seeing that kind of length of delay, whether it is normally less than that, and, if so, why is taking that long. Is it capacity at your end? Is it some other delay with the Home Office? Why is it taking this long?

Julia Rogers: I will go back to what I said previously, and my apologies again. Serco does not get given information about the number of people



HOUSE OF COMMONS

with an IR35 or if they are identifying as tortured when they come into the estate. That is medical-in-confidence information and we are not the healthcare provider. What we get is through the L risks, the 1, 2 3 risks, is a risk assessment of them but the information and the length of time that those things take is not something that Serco is in control of.

Q146 **Chair:** You are saying that you do not have information if you have somebody who, when they arrive at the door, you think, "I am worried about this person", you think, "This needs to be a rule 35"; that you do not know how long the rule 35 process takes or what the conclusion is.

Julia Rogers: We do not get involved in the rule 35 process.

Rupert Soames: It is done by the healthcare provider. Serco is not responsible for providing the healthcare, but clearly we work together.

Q147 **Chair:** You must have cases that you refer to the rule 35 process, because you are worried about people.

Julia Rogers: Yes, we do.

Q148 **Chair:** You do not know what happens to them, or how long that takes.

Julia Rogers: I do not have that information.

Q149 **Chair:** You do not have it in any kind of safeguarding sense—

Rupert Soames: We have joint safeguarding—

Q150 **Chair:** Okay, so you do, and you do not?

Karen Head: We do keep figures, we do discuss them weekly and monthly. We discuss them with our healthcare providers at our quarterly meetings so we know how many have submitted applications for allegations of torture and we know how many of those applications have been released, so I can provide you with those figures.

Q151 **Chair:** That would be very helpful to have.

I am really a bit shocked that, if you are running Yarl's Wood, you do not know. Therefore, who does and who—

Rupert Soames: As Julia said earlier, there are safeguarding meetings—

Q152 **Chair:** Weekly?

Julia Rogers: Weekly. We have exactly the same process—

Rupert Soames: Weekly, the same process, as Morton Hall.

Julia Rogers: —with exactly the same people involved. My point was—and I apologise—merely that we do not provide the medical intervention, and therefore the time lag.

Q153 **Chair:** Okay. I think we really need to know about the time that is being taken and why. While I appreciate that a chunk of this is being done by



HOUSE OF COMMONS

G4S, and so on, in terms of the provision of it, I am troubled that you do not have the overall picture on it, because it would just seem to have a massive impact on the welfare of the people who are in your detention centre and, if the system is not working, it is one of those kinds of red-flag things that you ought to be able to raise with the Home Office.

Rupert Soames: I completely agree that it must look poor that as chief executive of this business, I do not know how many people are on rule 35 currently. I apologise for that. I can assure you that Steve Hewer, who runs the centre, would be able to tell you immediately how many are on that. I just cannot. I do not think that there is a failing in the system where Serco does not know how many are on rule 35. There is an interception between mental health and the rule 35. There is also an interception between rule 35 and confidential medical information.

Q154 **Chair:** I appreciate that but I do think the system is failing because we have heard evidence that this particular bit of the system is a serious problem and that there are adults at risk and there are people who have been tortured who are still held in detention, and at the most senior level, you are not completely steeped in this, and on top of it, and knowing what the scale of the problem is or is not, and therefore either flagging it up to the Home Office or explaining to us why it is not a problem really. Therefore, it seems to me that there is a really serious problem and that there is nobody who has a grip on this and is saying, here is what is to be done or here is what is not to be done.

If you were able to try to get to the bottom of those figures, give us some further evidence, let us know whether you think the system is working or is not, that would be extremely helpful.

One more question. Does the fact of the indefinite detention cause you problems?

Rupert Soames: The difficulty about indefinite detention is that it looks different depending on which end of the telescope you see it. For the Home Office, it may not be indefinite detention; it is detention while your case is going through. For the person being detained, by definition it is indefinite because they do not have a definite date for when they are going out. I do think that it is—

Q155 **Chair:** Does it make it difficult for you to manage cases and to manage the detention centre?

Rupert Soames: I believe that in managing Yarl's Wood we do incredibly well, but it is incredibly difficult, dealing with people at a very vulnerable time of their lives and in really difficult circumstances. I do not think we are going to ever get over this issue of the different perception between somebody who just wants to know, "When am I going to get out of here?" and the Home Office, which says, "We are making up our minds".

Q156 **Chair:** I am sorry to interrupt you. I am conscious of time. Morton Hall?



HOUSE OF COMMONS

Phil Wragg: We are there to provide a duty of care and part of that is about hope, providing hope for people who are in our care, and indefinite detention removes some of that hope, I believe. It is a very difficult place for a person to be, when they cannot understand where the rest of their life is going.

Karen Head: We do know that the majority of the reasons for men being placed on an ACDT is to do with anxiety around the unknown, and not knowing how long they are going to be in detention. It is about being placed in detention initially, and also how long they are spending in detention without knowing if or when they are going to be released.

Q157 **Sarah Jones:** Mr Soames, when did you last visit Yarl's Wood?

Rupert Soames: Since you ask, last Friday.

Q158 **Sarah Jones:** Good. Do you go regularly?

Rupert Soames: I go two or three times a year.

Q159 **Sarah Jones:** One of the issues you talked about was mental health. The NAO report said that only 27% of staff had been trained in mental health. Do you know what that percentage is now?

Rupert Soames: As of now, no, but it is rising all the time, and it is now part of the basic training as well. However, I do not know where we stand on that at the moment. It is something of a personal—I will not say bugbear—an issue. The number of people who are being sectioned as a proportion of the people going through the centre, when you consider the stress that they are under, certainly was surprisingly low earlier but it is now rising. As I say, it was about 14 cases last year. What that means is that they are then going and getting proper medical help. We are not set up to give proper help to people who are in a real, serious mental crisis.

Julia Rogers: There are many modules they are trained on and we do have a specific mental health awareness training module. Since the NAO report, I talked about our work with the Bedfordshire Council Safeguarding Board and they have provided us with a computer-based training package that talks about safeguarding adults, dignity and care and lots of other things. There is now very specific training on mental health given to all of our staff.

Q160 **Sarah Jones:** Could you send us the percentage of staff that have been trained later?

Julia Rogers: Yes.

Q161 **Sarah Jones:** Thank you. There is also an issue about the number of female staff in Yarl's Wood. What are you doing to increase the number of female staff and what proportion is that at the moment?

Julia Rogers: Yarl's Wood, as you will be aware, does not only employ ladies. We have some men. In the two residential units that are only female, in one unit 88% of the staff who work on that unit are female



and 100% on the other. In the units overall we have 57% females and 43% men. The way we do our operations is that where there are female-only units we will put the preponderance of our female staff to look after the ladies.

Q162 Sarah Jones: We have talked about this a bit, G4S doing the health and you doing the rest. One of the issues from the NAO report was the confusion about who was responsible for what. Do you think that is now resolved and could you explain how that works?

Rupert Soames: I think it is much better.

Q163 Sarah Jones: In what way? Could you describe—

Julia Rogers: One of the things we invested in after that was that we now have employed a lady who is a former nurse as our healthcare business partner. Her responsibility is to be the glue between the two. We had a very deliberate sit-down and step-through for each of the processes and procedures relating to where healthcare and operations intersect to make sure that we agreed exactly whose responsibility it was for each of these and that there was nothing dropping down the cracks. That work has been done and now Hayley, who is our healthcare business partner, has the responsibility to help us to make sure that we continue to do that and it is seamless end-to-end between healthcare and ourselves.

Q164 Sarah Jones: Moving on, could you just answer yes or no as to whether the contract you have signed with the Home Office gives you the resources you need to adequately look after the people in your care?

Rupert Soames: Yes.

Julia Rogers: Yes.

Q165 Sarah Jones: Okay, good. Final question, in terms of the immigration detainees who are in the prison estate as opposed to in these centres, do you have experience of what the difficulties are about access to legal support, welfare support and other problems that might exist for those people—I think it is 400—who are in the prison estate?

Phil Wragg: I think they are broadly the same as what they would have if they were in Morton Hall. While we provide the provision that is in place to allow them to get the access platform, what they receive on the other end can sometimes be slightly difficult and to a degree frustrating. The levels of care will be similar in the prisons to what they would be in the IRC. Some of the wraparound services we have already talked about this afternoon would be in play too. The communication, in order to get answers on where they are with their case, would be exactly the same. It would not be dissimilar to that.

Q166 John Woodcock: Mr Soames, your shirt says you are “Serco and proud of it”. Are you proud of the welfare conditions in Yarl’s Wood?



HOUSE OF COMMONS

Rupert Soames: Yes. I have been there a lot. I invite you to come and see it. It is by no means perfect. We are dealing with often people who are traumatised. I do not say that it is in every respect, 100% of the time, perfect but I am proud of Yarl's Wood.

Q167 **John Woodcock:** I understand that. What do you think explains the disparity between your pride and confidence and the evidence, some of which you have not yet heard but you did sit in for the previous session—

Rupert Soames: It was a private session.

John Woodcock: Indeed, but you were here for the public session with the NGOs. What do you think explains the disparity between the picture that they—

Rupert Soames: Gemma acknowledged herself that the conditions that people complain about are not so much about the conditions of their residency there, they are more about the process they are in, which, let's face it, is a difficult process. This has been a change. There really, genuinely has been a change. We have got better over the last two or three years and the debate, I would say even among the NGOs, is less about Serco running a place that is cruel and inhumane and more saying, "Actually the conditions are good in the centre but the main issue is about the process that people are in".

Q168 **John Woodcock:** For both Morton Hall and Yarl's Wood, we have heard a picture of an adults at risk policy from the NGOs that is simply not fit for purpose, as that description was put. You are saying, from what I am hearing, that you think it is absolutely working.

Rupert Soames: I think the welfare side of it is working. To the question, "Do we have the resources that we need under the Home Office contract?" we do not run Yarl's Wood thinking about how much we are being paid for the resources that we provide. We try to run to a level of care and decency in the residency element that we can influence.

Q169 **John Woodcock:** That is good to hear but you cannot say that the welfare at Yarl's Wood is satisfactory without also being satisfied with the adults at risk policy. You would have to totally not accept the evidence we have already taken about the deficiencies of that policy; isn't that right?

Julia Rogers: I feel responsible for looking after the ladies in my care inside the framework that has been created by the Home Office. That is my responsibility. We do that and my staff do that to the very best of our ability. The adult policy that you are dealing with is a matter of policy and Serco does not influence that policy, apart from where we can feed back. We were not consulted on that particular policy. I am very proud of the work we do.

Q170 **John Woodcock:** I understand that, I take that point, but what we heard very clearly was that the NGOs, who spend a large amount of time, do not think that the screening, for example, is remotely satisfactory. That is



not a policy issue, that is the fact that it is not being implemented.

Rupert Soames: People are screened before they come to Yarl's Wood. They are not screened at Yarl's Wood, they are screened before they come.

Q171 **John Woodcock:** Surely you cannot say you believe the service that is provided at Yarl's Wood is satisfactory if people are not adequately screened, are not being adequately picked up as adults at risk and there is a significant risk to their welfare? Even if you say that is someone else's fault, you either recognise that that is a significant deficiency or you do not accept the evidence.

Rupert Soames: I am struggling here because people are presented to us at reception having been screened by the Home Office. They say, "Here is somebody for you to look after". We go and put them in the induction unit, we take them to healthcare, we do all these things. I think I am not explaining myself properly in what we are there to do. We are there—

Q172 **Chair:** I think the problem here, based on the evidence that we have heard, is that we would expect you, if you were fully engaged with the welfare of the people that you have in detention and so on, to be screaming that the system was not working even if it was the Home Office's fault that it was not working rather than your fault, even if the fault was with the health system not doing the assessments fast enough, even if it was the Home Office not making sure that the screening system advances well enough or not making sure that decisions happen quickly enough. We have just heard sufficient evidence of victims of torture, of people who are deeply traumatised by the process of being detained, who end up not being deported at the end of the process and who end up, therefore, not needing to be in detention in the first place. We have heard so much evidence of this that even if in your little bit of the system you have provided some nice support for people, if you were really doing your job to properly look after the welfare of the people in the detention centre you would surely be raising the red flag a lot about all of those cases that were going wrong.

Rupert Soames: I am sorry, I do not accept that you can put on to our shoulders responsibility for the entire process of immigration removal.

Q173 **Chair:** We are not holding you responsible. We are saying that there seems to be a gap between you feeling happy with the system and not apparently raising the red flag about it and the evidence we have heard.

Rupert Soames: I am not making a comment about the system, I am saying that I feel happy and proud of—to the extent that one can be in an uncertain world—the fact that we look after people really well in terms of their residency at Yarl's Wood and what we are tasked with and asked to do. It is also extraordinarily important that there is a demarcation between the people who are looking after you, making sure that you are fed, that you have access to food, the religious stuff and the activities,



HOUSE OF COMMONS

and the people who are making the decision about your immigration status or whether you are rule 35. They are not qualified to do it. We go to extraordinary lengths, for instance, to divorce ourselves from the people who are removing people from the centre, because we do not want our staff associated with that bit. We are there to look after people. It is one of the things that is drummed into us, "Do not confuse your job, which is looking after people and providing them with welfare, with the status of their immigration case".

Q174 **Chair:** We have obviously had a lot of evidence from a lot of different sources. I think the concern we would draw from this is that while it is not your job to make the decisions, you should be able to look at the overall picture and identify if there are serious problems with groups of people, groups of detainees, who are not being treated right, who are not getting the right response from the Home Office or who are not being assessed in the right way at the beginning of the process.

Obviously we will look forward to the further written evidence that I hope you will be able to give us on this, and thank you very much. This has been a very long session so we are very grateful for your time and your patience this afternoon. Thank you very much.