

Written evidence submitted by Association of Visitors to Immigration Detainees (AVID) (COR0116)

About AVID and this submission:

AVID, the Association of Visitors to Immigration Detainees, is the national membership network of voluntary organisations providing support to people in immigration detention. A registered charity, we have 13 members providing support in every single immigration removal centre, residential short term holding facility, and some prisons. With around 550 active volunteers, our network supports around 2,000 people every year. Our network is in day to day contact with people held under immigration act powers and we are continuing this support throughout the current pandemic.

Our evidence is based on this remit and experience, and our submission focuses on the particular failings of the Home Office – and its contractors - in preparing for and responding to the coronavirus pandemic **in relation to people in detention**. We are addressing the following in relation to the terms of reference of this inquiry:

1. How the Home Office and its major contractors are working together to ensure the safe and effective operation of contracted services is maintained, particularly where these services affect vulnerable people.
2. The effectiveness of Home Office communications to its partners, responders and the wider public about its preparations.

***AVID members are:** Asylum Welcome, Detention Action, Gatwick Detainees Welfare Group, Jesuit Refugee Service UK, Larne House Visitors Group, Lewes Prison Visitors Group, Manchester Immigration Detainee Support Team (MIDST), Morton Hall Detainee Visitors Group, Rene Cassin Jewish Visitors Group, Scottish Detainee Visitors Group, SOAS Detainee Support Group, Sudanese Visitors Group, and Yarl's Wood Befrienders.*

Recommendations:

- The Home Office should release all those held under immigration powers across the UK (in IRCs, STHFs, and prisons). This is essential to protect public health.
- This release should be effectively managed to ensure that no one is released into destitution or poverty, and so that everyone is given appropriate access to accommodation and basic services, including healthcare, in line with the [recommendations made by the Commissioner on Human Rights](#).

For as long as the Home Office continues to maintain detention despite the public health risk, we recommend the following:

- There must be greater transparency and improved communications from the Home Office to charities and service providers working to support people in detention. This communication should be timely and accurate so that services can be targeted to those in need. There are examples of better practice in relation to other Government departments, which could usefully be replicated¹.

¹ For example, the Ministry of Justice is providing regular stakeholder updates on the situation in prisons.

- Home Office contractors overseeing IRCs and STHFs should also provide greater transparency and improved communications between their teams and organisations working locally to provide charitable support to those detained, including AVID members.
- Timely information must be provided to stakeholders about the numbers in detention, and the impact of COVID 19 inside detention. This should include the numbers of tests carried out, on both staff and those detained, and the outcomes of those tests. These statistics are regularly provided by the Ministry of Justice but do not include immigration detainees.
- Changes to the regime inside detention, to meet current social distancing and public health guidance, must be made with due regard to the Detention Centre Rules 2001, and ensure that access to human rights - including for example, access to legal advisors or time in the fresh air – are not compromised. If changes to the regime cannot be implemented in a way that does not restrict people’s access to their basic rights and freedoms then release must be facilitated.

AVID members have provided charitable services inside immigration detention since 1994. Our members provide a wide range of support including emotional support through ‘befriending’ visits, as well as practical advice, signposting and referral, and casework support. In line with Government guidance, our members stopped providing face to face visits inside detention and we quickly moved to provision of phone support and where possible video (skype) visits. Our volunteers are trained and supported to provide tailored, bespoke support at an individual level for people in detention. Several of our members also provide group support in the form of workshops or drop in sessions, for example at Harmondsworth and Colnbrook IRCs, at Yarl’s Wood IRC, and at Dungavel IRC. These workshops also take place in some London prisons. In light of the current crisis, and the isolation and anxiety it causes, this support is needed more than ever. However, we wish to draw to the Committee’s attention that communication from the Home Office and its contractors to AVID and its members has been at an unprecedented low since the COVID 19 outbreak began. This is our experience at both national and local level, and impacts upon the degree to which our members are able to respond to the individual needs of vulnerable detainees at this time. We illustrate this further below, and provide additional evidence in the form of a joint letter (Annex One).

1. How the Home Office and its major contractors are working together to ensure the safe and effective operation of contracted services is maintained, particularly where these services affect vulnerable people:

- Even in ‘normal’ circumstances, it is widely acknowledged that indefinite immigration detention is damaging to mental health. There are also numerous reports outlining the failings inherent in current policy and practice in protecting vulnerable people from harm in detention.
- Levels of anxiety and stress are heightened during the current pandemic.
- Our members are telling us that people in detention are incredibly scared and anxious about being able to take vital steps to protect themselves in this physical environment, particularly following confirmed cases in two centres. We are hearing that levels of self-harm are worryingly high, particularly in the larger centres where numbers of people detained remain relatively high (Brook House, Harmondsworth

and Colnbrook). On Tuesday 28th April this reached a crisis situation in Brook House, with self harm levels described as 'horrific' and at least one attempted suicide. This crisis escalated with at least one hospitalisation and around ten or so people put into segregation. People at Brook House described being too scared to leave their rooms.

- AVID is increasingly concerned that the refusal of the Home Office to facilitate timely, safe and managed release of people from immigration detention during a global pandemic is causing a mental health crisis as well as a public health crisis. It is only a matter of time before a tragedy occurs. We understand that the Home Office has undertaken to review all cases of people who remain in detention, and yet our members are in touch with people who have been held for several months. This situation cannot be allowed to continue.
- Immigration detention should only be used 'as a last resort' and to facilitate removal. Given the current restrictions on foreign travel as a result of COVID 19, removal will not be feasible for some time. While the commitment to review all cases of detention is welcomed, this has not happened quickly enough. Nor is there any information available about what is happening to people on release.
- **AVID recommends that all cases of detention should continue to be reviewed and people released as a matter of priority. All releases should be managed in a way that is safe, with access to financial assistance and accommodation. No one should be released into destitution.**

We are hearing from people in detention that it is **almost impossible to implement public health guidance on protection from COVID 19 inside detention.**:

- Social distancing measures are applied inconsistently and vary hugely from centre to centre. Despite commitments made on the 25th March to make antibacterial cleaning agents available to all detainees "on request"², we are hearing that it is increasingly difficult to carry out even the most basic of the government's recommendations i.e. hand washing, as the availability of soap and antibacterial gel is limited.
- In terms of cleaning, we know that some centres are being more proactive than others in maintaining cleanliness in communal areas in compliance with advice from Public Health England, Health Protection Scotland and the NHS. In Yarl's Wood, for example, following the confirmed case, cleaning measures intensified for around a week. Women held there are now reporting that this intensive cleaning of communal areas has now stopped. Often, in detention, cleaning roles – like many labour-intensive roles in detention – are carried out by detained people themselves, in return for a minimal wage, rather than by professionals who are sufficiently trained to ensure any additional requirements in terms of cleaning during a pandemic can be met.
- The Government guidance on social distancing measures cannot be implemented inside detention facilities. Given the nature of the incarcerated environment, people are forced to sleep, eat, wash, exercise and socialise in close proximity. Bathrooms and bedrooms are shared. We have asked specific questions of the Home Office in terms of how they are managing social distancing during the pandemic and we have as yet not received any detailed answers to these questions. This is outlined in more detail below.

² <https://detentionaction.org.uk/2020/03/26/press-release-over-350-released-from-immigration-detention-and-all-cases-to-be-urgently-reviewed/>

- Where guidance is being implemented, we are concerned that there are misunderstandings and misuse of the detail of the guidance in a way that is overly restrictive and may breach individuals human rights, as well as being in opposition to the purpose of immigration detention as set out in the Detention Centre Rules (2001) which states: *'secure but humane accommodation....in a relaxed regime with as much freedom of movement and association as possible'*. Examples of this include reports from people at Brook House of being locked into their rooms following the Government's announced 'lockdown' on Monday 23rd March. We understand that this lockdown was a misunderstanding of the application of Government guidance and has since been lifted, but we have also heard that people are being kept in their rooms at other centres for longer periods than is usual.

Changes to the regime, limited communications and access to external supports:

- As all visits to places of detention have been stopped, there is a greater reliance on telephone, skype/online video, and the internet, to maintain contact with friends, family, external supports and most importantly legal advisers. Given the long-standing problems with mobile phone reception in many centres, and with many confined to their rooms, people are reporting difficulties in maintaining decent phone contact at this time. Phone credit is an issue for many, and our member organisations are being asked to provide phone top ups, something which is unsustainable for voluntary groups.
- Technical issues seem to be preventing skype being set up in a timely way and to ensure access for all. As this is a new facility it is unclear if centres are prepared to roll it out more broadly to meet increased demand during the crisis.
- We are also hearing of restricted access to the internet suites, and technical problems restricting the set up and availability of skype for legal visits. For example in Morton Hall IRC, where as of last week (w/c 27th April) there were 102 detainees, social distancing in the internet suite meaning there were only three computers available. In Brook House, the establishment of skype for legal visits was delayed due to a lack of technical preparedness to facilitate this.
- Offices providing welfare and education services in the Harmondsworth and Colnbrook IRCs have closed. Instead, these services are being provided by staff 'drop ins' on the wings. It has not been made clear how staff are ensuring that – in relation to welfare in particular – these services are being made available in a way that protects confidentiality.
- People in detention have told us that they are experiencing extreme restrictions on their freedom of movement and are being held on their wings. In some cases people are experiencing extended periods confined to their rooms or in some centres being locked in their rooms. We have also heard that the chaplaincy services are not running in some centres, and that the internal shops have closed.
- Some centres have shortages of staff in key roles owing to self isolation, we are hearing reports of detainees having to take up service roles inside some centres. Restrictions on visits are also impacting on access to legal representation and to independent clinicians. These changes are contrary to several of the Detention Centre Rules (2001). **We would ask that any changes to the detention regime are made with due consideration to the purpose of detention stated within these rules, which is to**

provide: *'secure but humane accommodation....in a relaxed regime with as much freedom of movement and association as possible'*.

- A full overview of our concerns in relation to the regime inside detention is attached as Appendix One.

Unnecessary movement around detention estate:

- Despite confirmed cases of COVID 19 in detention, people are being transferred around the detention estate and new arrivals being brought into some centres.
- While some centres have effectively closed, such as Tinsley House, other centres are continuing to see new arrivals. This includes 'lorry drop' cases at Yarl's Wood IRC and people being detained and brought from police stations to IRCs and residential STHFs.
- To illustrate this, an arrival to a residential STHF on 10th April was transferred to Morton Hall IRC where they were then released. Similarly, an arrival from a police station was brought to a residential STHF on 15th April, held for six hours, before being sent to Yarl's Wood where they were released. This situation is not unique, these are merely some examples.
- Transfers around the detention estate are also still taking place. This includes transfers between Northern Ireland and Dungavel in Scotland, as well as from Scotland to England and vice versa.
- It is not clear why this unnecessary detention is still happening during a pandemic. The Home Office must put public health needs over the continuation of the hostile environment at this time.

Lack of information on support provided on release:

- Release of 350 detainees so far has been widely reported following Detention Action's legal challenge, but we have no information on any support being offered on release, and are concerned by reports from our members of people being released into destitution. Our members have had to find emergency accommodation and in some cases provide financial support.
- There are also problems when people are released back to their previous addresses, but landlords refuse entry as a result of worry about COVID 19, a consequence of them being in detention.
- We are also hearing that there is a considerable delay of several weeks in the provision of probation addresses.

2.The effectiveness of Home Office communications to its partners, responders and the wider public about its preparations:

AVID and its members have been providing support to people in detention for over 25 years. In line with Government guidance, our members stopped providing face to face visits inside detention and we quickly moved to provision of phone support and where possible video (skype) visits. This is a significantly reduced service, but in keeping with our charitable objectives, we will continue to provide emotional and practical support to people who remain in detention at this time.

In order for our members to deliver this support to those who need it most and to be able to respond to the additional needs of this current crisis, it is vital that we have accurate information from the Home Office and its contractors about their response to the crisis and the situation as it develops, so that we can tailor and target our support appropriately. However, we wish to highlight that the communication from the Home Office and its contractors has been slow, unresponsive, and largely ineffective:

National communications between the Home Office and AVID:

- We have been concerned at the lack of information provided to AVID and its members about the measures being put in place in response to COVID 19 in detention. We first raised this by email on 12th March, from AVID Director to two Home Office immigration enforcement policy staff, asking the following:
 - *what contingencies are in place for protection of people in detention in light of the COVID 19 crisis, in particular:*
 - *Are people in detention who present flu-like symptoms being tested for coronavirus?*
 - *Are there quarantine and isolation facilities across the estate for anyone who is symptomatic ahead of moving them to hospital?*
 - *Would you be able to notify us if there is a case or suspected case in an IRC or STHF?*
 - *It would be helpful to be able to point our members in the direction of any materials on e.g. care pathways in case of an outbreak.*
- No response was received, we therefore emailed in follow up on the 25th March, outlining the urgency in light of the confirmed case at Yarl's Wood. In response, we were given the following link <https://www.gov.uk/guidance/coronavirus-covid-19-and-immigration-removal-centres> but no additional information beyond this Government guidance and no replies to our specific questions.
- The measures outlined in these documents are woefully inadequate. By the time of publication, there was already a confirmed case in Yarl's Wood and reports of people displaying symptoms of the virus in other centres.
- AVID members wrote to the Director General of Immigration Enforcement, Tyson Hepple, on 30th March, to escalate and elaborate on our concerns as the situation in relation to both COVID 19 and detention had worsened. This letter is attached as Appendix One.
- We received a response on the 9th April, attached as Appendix Two. It does not answer our specific questions, and has been cut and pasted from a response given to another NGO.
- We wish to highlight to the Committee that this communication was sent in order for our members to have information on which to base their support provision. As of today's date, 4th May, we still have had no response to our specific questions.
- We believe that the Home Office response to date has not been clear enough, has not been thorough enough, and was published far too late. As such, people in detention have been put at unnecessary additional risk.

Lack of information to stakeholders about testing and confirmed cases inside detention:

- There have now been two confirmed cases of Covid-19 in IRCs, with many more people showing symptoms and therefore being held in isolation. We are very concerned at reports that the latest confirmed case of Covid-19 was someone who was brought into Brook House IRC despite showing Covid-19 symptoms on arrival.
- There is no information provided to stakeholders about the extent of testing or confirmed cases inside detention; instead this information is being revealed in an ad hoc and reactive way. This only leads to additional stress and anxiety, particularly for those we are supporting.
- The Ministry of Justice has implemented testing measures for both staff and prisoners and the results are published daily via a stakeholders update. Results show that as of Sunday 3rd May, over 350 prisoners and over 400 staff (including escort staff) have tested positive so far. We are not aware of any similar testing measures being implemented inside detention.
- We are very concerned that the lack of testing, and of transparency in detention centres, is putting people at even greater risk. It is difficult to ascertain accurate information which leads to the spread of misinformation and rumours.
- **We would recommend that the Home Office publishes a daily stakeholder update, similar to that produced by the Ministry of Justice.**
- There is already a mechanism through which this could be done – the NASF detention sub group – which has not met since the COVID 19 crisis began.
- The NASF detention sub group is the key governmental stakeholder mechanisms through which communications between the Home Office and those providing support in detention, takes place. A meeting scheduled for early May as been postponed and we understand that the Home Office has requested that only 5 organisations attend this meeting. This again underscores a reluctance to meet with stakeholders and respond to our questions during this time of crisis.

Lack of information and response to AVID members, by IRC and RSTHF staff:

- AVID members provide a wholly confidential and bespoke charitable service to individuals inside every detention centre and residential STHF in the UK. We are extremely concerned by reports from some members that since the COVID 19 outbreak, communications between the detention centre and the local group in some cases has slowed or has stopped completely.
- It is vital that contact between AVID members and the detention centre staff is maintained, so that referrals can be made and our support can be tailored to respond to need. At this time we are extremely concerned that we are not receiving referrals from detention centre staff and therefore we don't know if people are able to access the support that they need.
- Anonymised examples include:
 - Coordinator of one local group making calls and email enquiries over a period of weeks, and either receiving no response, or being told that a response is forthcoming. No response to any specific questions
 - A complete lack of response at one centre.
 - When one local group offered to provide post detention support to people on release, this was refused by the centre.
 - At one centre, despite having had a good working relationship where referrals came regularly through the relevant welfare team, since the COVID 19

outbreak, communications are described as ‘very limited contact with [staff member] and all updates have been vague’. No referrals have been received since the outbreak began.

- These examples are not exhaustive, but illustrate a wider pattern of reluctance to engage with community support, precisely when this support is so vital.

Given the severity of the current crisis and the potential impact on those held in detention, it appears that the Home Office and its contractors are trying to avoid communication, rather than proactively providing information to alleviate concerns. This is at a time when information is absolutely vital to AVID and its members, to ensure that people in detention get the support and care they need. It has never been more important for the Home Office to be transparent about the steps it is taking to protect people in its care.

May 2020

Appendix One: Letter from AVID to Tyson Hepple, 30th March 2020

Appendix Two: Response from Tyson Hepple to AVID, on 9th April 2020

Appendix One – Letter to the Director General of Immigration Enforcement, dated 30 March 2020

We write in our capacity as members of AVID – the **Association of Visitors to Immigration Detainees** - a network of organisations providing support to people in immigration detention. Together, we support people detained in every single immigration removal centre, residential short-term holding facility and in some prisons in the UK. As such, we are in day to day contact with people held under immigration act powers around the UK and are writing to express our grave concerns about the Home Office’s response on immigration detention in light of the COVID-19 crisis.

AVID wrote to Immigration Enforcement contacts by email on the 12th March to ask a series of questions on behalf of our members about the centralised response to the COVID-19 crisis. Despite several follow up emails since then, we are still waiting for a response to our substantive questions. Instead, we have been sent a link to the guidance on ‘[Coronavirus and immigration removal centres](#)’ which was published on the gov.uk website on 24th March. We note that other guidance ‘[COVID 19 and other prescribed places of detention guidance](#)’ was updated on the 26th March.

The measures outlined in these documents are woefully inadequate. By the time of publication, there was already a confirmed case in Yarl’s Wood and reports of people displaying symptoms of the virus in other centres. We believe that the Home Office response to date has not been clear enough, has not been thorough enough, and was published far too late. As such, people in detention have been put at unnecessary additional risk.

In light of the urgency of the situation facing the people we support **we are calling for the immediate release of all those who remain in immigration detention.** This release should be effectively managed to ensure that no one is released into destitution or poverty, and so that everyone is given appropriate access to accommodation and basic services, including healthcare, in line with the [recommendations made by the Commissioner on Human Rights](#) (26th March).

Until releases are facilitated and while the Home Office continues to hold people under immigration act powers during this crisis, we are asking for further information in relation to the following concerns:

- **Implementation of government guidance inside detention facilities:** we are hearing reports from people detained that social distancing measures are not being implemented in all communal areas and that it is increasingly difficult to carry out even the most basic of the government’s recommendations i.e. hand washing, as the availability of soap and antibacterial gel is limited. On the 25th March, the Home Office outlined that it would make antibacterial cleaning agents available to all detainees “on request”³. Given the severity of the current crisis and the way in which such viruses can spread far more rapidly in incarcerated settings, everyone in detention must immediately be given supplies of soap and antibacterial gel. They

³ <https://detentionaction.org.uk/2020/03/26/press-release-over-350-released-from-immigration-detention-and-all-cases-to-be-urgently-reviewed/>

should not have to ask for this basic necessity at this time. All communal areas must be kept clean in compliance with advice from Public Health England, Health Protection Scotland and the NHS. The Government guidance on social distancing measures in our communities must be implemented immediately inside detention facilities. Given the nature of the incarcerated environment, consideration must be made as to how this can be applied to sleeping accommodation, all communal areas and most critically in canteens and washrooms, without infringing upon people's rights to time out of room, and their access to fresh air, exercise and meaningful activity.

- **Access to communications during this period of crisis:** As all visits to places of detention have been stopped, there is a greater reliance on telephone, skype/online video, and the internet, to maintain contact with friends, family, external supports and most importantly legal advisers. Given the long-standing problems with mobile phone reception in many centres, and with many confined to their rooms, people are reporting difficulties in maintaining decent phone contact at this time. Phone credit is an issue for many, and our member organisations are being asked to provide phone top ups, something which is unsustainable for voluntary groups. We are also hearing of restricted access to the internet suites, worries about using the internet suite in light of social distancing advice, and technical problems restricting the set up and availability of skype for legal visits. During this crisis, it is vital that communication is facilitated from within detention in a way that is as easy and accessible as possible. Resource must be heightened to meet increasing demand. This must include the increased availability of phone credit, particularly for those without financial means; lifting of restrictions on internet access, including the current ban on social media and online chat facilities; ensuring all places of detention have the technical and physical capacity to facilitate an increasing demand for skype and online video calling. Consideration must be given to the access afforded immigration detainees held in prisons, who at present do not have access to the internet or mobile phones.
 - Many AVID member groups are offering phone and skype support to their clients during this time. We ask that information about AVID members and the support they offer is made available to all those who remain in detention.
- **Continuing movements around the detention 'estate':** We understand that people are still being brought into detention from the prison estate, from other detention centres, or via 'lorry drops'. People arriving in detention from other countries which may have higher instances of the virus puts both staff and detainees at risk. Moving people between facilities also risks spreading the virus further.
- **Changes to the regime:** People in detention have told us that they are experiencing extreme restrictions on movement, ranging from extended periods confined to their rooms or in some detention centres being locked in their rooms. We have also heard that the chaplaincy services are not running in some centres, and that the internal shops have closed. Some centres have shortages of staff in key roles owing to self isolation, we are hearing reports of detainees having to take up service roles inside some centres. Restrictions on visits are also impacting on access to legal representation and to independent clinicians. These changes are contrary to several of the Detention Centre Rules (2001). We would ask that any changes to the detention regime are made with due consideration to the purpose of detention stated within these rules, which is to provide: *'secure but humane accommodation....in a relaxed regime with as much freedom of movement and association as possible'*.

- **Information and support provision for people in detention:** it is not clear to us if information on COVID 19 is being made available to people in detention in a language and format that they understand. At a very minimum, we would like assurance that the latest updates and public health guidance are being made available to all, and in languages and format that is easily understood. There are various external sources of information available in translation, for example [Doctors of the World have produced useful guides in a range of languages](#) and the [World Health Organisation information pages on the virus](#) are available in different languages. At this time it is vital that tailored information is made widely available, that it is reviewed on a regular basis, and that people are told where they can access support, advice and care for any concerns they may have during this time.
- **Information and support for those released:** Similarly, we are concerned that people being released from detention are not being provided with current information about support available to them, or how to stay safe and well during the COVID 19 crisis. We have very little information about the support being offered to people on release. We understand that local authorities have been advised to make emergency accommodation available to all, but in some areas this requires people to physically 'walk in' to access, whereas in others it can be done over the phone. Consideration must be made for those leaving detention in being able to access any emergency support.
- **Care pathways for those in detention with symptoms:** Although we raised these questions some time ago, we still have a lack of information on the care pathways for those in detention displaying symptoms of the virus and how places of detention are responding to the very real risk of infection spreading. How are staff identifying people with symptoms and what steps are being taken to protect both staff and people detained at this time? People in detention are understandably anxious that isolation is happening too late, resulting in high levels of stress and worry amongst the detained population. We are concerned that facilities for isolation/quarantine are inadequate, and it is not clear if those placed in isolation are able to maintain contact with friends, family or legal advisers, or what medical care is provided from within detention for those with symptoms of the virus. At this time of crisis, it is vital that there is transparency around infection rates, conditions and deaths from within detention as this situation unfolds.

We are already hearing alarming reports of high levels of anxiety and stress, and even self-harm, from inside detention. We are concerned that if the situation is not addressed with some urgency, alongside the public health crisis we are facing, there will also be a very real crisis of mental health inside the UK's detention facilities.

We have waited over two weeks for a response to our original questions, and we therefore hope that you can respond with some urgency. It is vital that this information is provided so that we can relay appropriate advice to those in detention.

We look forward to receiving a response at your earliest opportunity.

Yours Sincerely,

Ali McGinley, Director, AVID (Association of Visitors to Immigration Detainees)
Bella Sankey, Director, Detention Action

Anna Pincus, Director, Gatwick Detainees Welfare Group
Sarah Teather, Director, Jesuit Refugee Service UK
Teresa Degenhardt, Coordinator, Larne House Visitors Group
Jean Gould, Coordinator, HMP Lewes Foreign National Prisoners Visitors Project (LOSRAS)
Chris Lukey, Coordinator, Manchester Immigration Detainee Support Team
Camille Herreman, Director/Coordinator, Morton Hall Detainee Visitors Group
Kate Alexander, Director, Scottish Detainee Visitors
Michelle, Coordinator, SOAS Detainee Support Group
Maddy Crowther, Co-Executive Director, Sudanese Visitors Group
Nicky Woods, CEO, Yarl's Wood Befrienders

*cc. Hindpal Singh Bhui, Her Majesty's Inspectorate of Prisons
Dame Anne Owers, Independent Monitoring Boards
David Bolt, Independent Chief Inspector of Borders and Immigration*

Appendix Two – Response from the Director General of Immigration Enforcement, dated 9 April 2020

Thank you for your letter of 30 March on behalf of a number of NGOs, in which you set out your concerns about immigration detention and COVID-19.

The Home Office is, as always, mindful of our legal obligations in respect of immigration detention, ensuring that there is a realistic prospect of removal in a reasonable timescale.

As you will be aware, the High Court ruled that the Home Office are taking sensible, precautionary measures in relation to COVID-19 and immigration detention. This is in line with the Public Health England (PHE) guidance and these measures are in place to protect staff and detainees during these unprecedented times. We consider the outcome to be a strong endorsement of the steps we have taken so far and which we will continue to take.

We take the welfare of the detainees in our care very seriously. In line with Public Health England guidance, measures such as protective isolation are considered on a case by case basis to minimise the risk of COVID-19 spreading to vulnerable groups in the immigration detention estate. Detainees are only being transferred in exceptional circumstances for the safety and security of the detention estate. Care pathways follow published Government guidance on COVID-19 and more detailed PHE and NHS E guidance on the management of COVID-19 in places of detention.

Further measures including single occupancy rooms and cessation of social visits have been introduced in line with the Government direction on social distancing. Each IRC has produced detainee-specific guidance to explain in clear terms how to reduce the risk of an outbreak of COVID-19. Detainees are frequently reminded of the requirements to ensure thorough hand washing and hygiene. Appropriate guidance is prominently displayed, including details of the PHE risk factors, and detainees reminded to immediately report any health or symptom concerns.

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As you are aware legal contact can take place in a number of ways, including face-to-face visits, telephone calls, legal surgeries and email. As well as being provided with a mobile phone and alternative SIM if necessary, detainees also have access to landlines, the internet and skype. To minimise the risk of spreading COVID-19 and in line with the policy of social distancing, face to face legal visits should only be held in exceptional circumstances and will be held behind glass in the 'Closed Visits' centre available at each immigration removal centre. We are also working closely with the Legal Aid Agency to ensure legal surgeries take place via other means. In addition, detainees have been provided with additional mobile phone credit to ensure that they are able to contact friends and families while social visits have been stopped.

I hope this reassures you that we are doing all we can to provide detainees and staff with a safe and secure environment.

Tyson Hepple CB
Director General
Immigration Enforcement