



C E D A R S

Pre-Departure Accommodation

Independent Monitoring Board

2016 Annual Report

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Section 1

1.1 Introduction

This report is presented by the Independent Monitoring Board (IMB) for Cedars Pre-Departure Accommodation (PDA). It covers the first nine months of 2016.

On 21 July 2016 the Secretary of State for Immigration announced the closure of Cedars. This was planned to take place on 31 December 2016. However, from 14 October 2016 The Immigration Enforcement Director General revoked Cedars' status as Pre Departure Accommodation. A new designation involved changes in both management and purpose and as a result, the monitoring role of the IMB ceased from that date. New pre-departure accommodation is due to open on the site of Tinsley House Immigration Removal Centre (IRC) in early 2017. Although under the same overall management of Tinsley House it is intended that it will operate under different systems and that these will be very similar to those previously employed at Cedars.

As Board members we are committed to the task entrusted to us. Our concerns for the establishment are expressed in the body of the report, and form the basis of the recommendations we make for the future PDA. The figures quoted in this report are based on the IMB's analysis of statistics supplied by the Home Office Immigration Enforcement, G4S, and local records. These statistics have not been independently audited.

For ease of reference our key findings are summarised on page 7 and recommendations are listed on page 8.

Section 2

2.1 About Cedars PDA

Cedars PDA is located near Gatwick Airport in West Sussex. It has provided accommodation for families subject to immigration control before their removal from the UK. Families have been resident at Cedars on the advice of the Independent Family Returns Panel and only held at Cedars as a last resort, and when all other options such as the assisted voluntary return process have failed. Residents' length of stay has usually been for up to 72 hours before their removal from the UK. During 2016 the option to request ministerial authority to extend a stay beyond 72 hours, up to seven days, was used once.

Cedars was opened in August 2011 and was named after the principles that underpinned its work: Compassion, Empathy, Dignity, Approachability, Respect and Support. Its purpose has been to ensure that the highest level of care and support was provided to immigrant families prior to their removal from the United Kingdom. A red cedar tree believed to be 200 years old is located in the grounds. The centre included 9 self-contained apartments of varying sizes capable of accommodating a total of 44 people. All apartments were designed to be family-friendly.

During the period it was operationally designated as a PDA, Cedars was run by three agencies. Home Office Immigration Enforcement had overall responsibility for overseeing the contracted services provided by G4S. G4S were also responsible for providing security services and facilities management. Barnardo's provided welfare, safeguarding, and social care services to the families. The Home Office immigration team acted as the main conduit of information between the residents and the Home Office.

Families were free to move about the interior of the facility at all times, and had unrestricted movement within the grounds during daylight hours. The facilities included:

- two lounges, and play areas for children
- a fitness center, basketball court, and equipment for football and other outdoor sports
- a well-stocked library offering a range of books in different languages and suitable for different age groups
- access to information technology and controlled access to the internet
- healthcare, including access to a GP
- chaplaincy support, including a multi-faith prayer room and a small mosque.

Residents had access to organised recreational activities. Childcare staff, qualified social workers, and welfare and counselling support were provided with the intention of enabling families to prepare for their return and manage emotional distress. Legal advice was available and all newly arrived families were offered access to a solicitor. However, in general most residents had already sought legal advice before arriving at Cedars. During the reporting period, five families requested help from the legal duty advice service.

In April 2016 the centre was inspected by HMIP when it was awarded the highest grades in all areas. In response to the possible closure of this PDA, the inspection report stated: ‘Cedars produced the best outcomes for detainees that we have seen anywhere in immigration detention.’¹

2.2 Utilisation of Cedars

Barnardo’s association with Cedars was determined by a published set of ‘Red Lines’. These outlined the terms of their involvement for providing family support to the Centre. The conditions were underpinned by robust policies covering child welfare and safeguarding. One such condition required that no more than ten per cent of the families going through the Family Returns Process are held at Cedars. We understand that with the reduced utilisation of Cedars after 2014, staffing levels were reduced on the basis that no more than three families would be accommodated at any one time. We noted that on each of our visits no more than two families were accommodated at the time.

2.3 Population Profile during 2016

The number of families accommodated at Cedars during 2016 was lower than in 2015, although this was for nine and a half months only. 14 families were accommodated during the reporting period.

	2016	2015	2014
Total families accommodated:	14	21	18
Adults	18	26	22
Children	27	41	32
Average length of stay	2.5 days	2.16 days	3.25 days
Number of pregnant women held	2	2	1

¹ Report on an unannounced inspection of Cedars pre-departure accommodation HMIP 2016

Longest length of stay	165 hours (6.9 days)	130 hrs 39 mins	111 hrs 27 mins
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The families represented nine different nationalities of which the top three were Albanian, Chinese and Nigerian. The top two religions were Islam and Christianity.

Of the 14 families, two were removed from the UK, 12 were released into the community, of which five were released due to disruption or non-compliance. Three of these were released from Cedars and two at the departure point.

Assessment, Care in Residence and Teamwork (ACRT) procedures were initiated six times, and there were no recorded incidents of actual self-harm.

Section 3

3.1 Executive Summary

This is the IMB's fourth and final report on Cedars and again our findings are generally positive. The concerns and recommendations outlined below are once again not all specific to Cedars, but rather to wider immigration policies and procedures to which those who pass through the PDA are subject.

In our last report we expressed our concern about alleged heavy-handed/disproportionate treatment of family members either at the point of arrest or during transportation to Cedars or both. Yet again we met parents and children who told us of feeling frightened and upset by the arrest in the early hours of the morning. We received three complaints about this during 2016. Like last year, we were not informed of the outcomes of these complaints.

Where families' removal did not go ahead as planned, distress for the children involved increased. On occasion decisions were made which meant that two families were released at the last minute prior to planned removal. This unfortunately resulted in one family becoming lost to the system with subsequent severe safeguarding risks to the children concerned. Another family were transported to asylum accommodation near London and, due to transport contract limitations, would have had to stay there over the weekend before being returned to their home address. On this occasion Barnardo's staff intervened and drove them to their home in the North of England. One mother and three children were returned to her local social services department, as she was in effect homeless upon release.

For one family, the stay in Cedars was extended beyond the expected 72 hours, with the agreement of the Secretary of State, to almost seven days. This was due to a child's medical condition that, although known about beforehand, still caused delays in flight arrangements which were eventually cancelled. For another family, possible risk of Female Genital Mutilation (FGM) resulted in a referral rightly being made to the local authority by the Barnardo's team. This risk had been known about and considered by the independent returns panel before the family were picked up.

3.2 Recommendations

We make the following recommendations in response to our observations this year and in order to inform the establishment and running of the new Gatwick PDA. We have appreciated being involved in the plans for this and look forward to further developing our monitoring role as the new centre is established. We will continue to have high expectations for the treatment of families who find themselves caught up in the removals process. We will watch carefully the impact of welfare and safeguarding being predominantly the responsibility of the G4S welfare team without input from Barnardo's.

We recommend that:

- every opportunity is taken to improve practice with regard to the treatment of distressed and anxious adults and children so that removals can be affected smoothly and with less risk of families absconding once released. Prior knowledge of health or other significant conditions should be used to delay or cancel arrest rather than proceed to the PDA. Good links should be made with local services in order to support safeguarding of families prior to any release.
- the results of all complaints made via the PDA should be reported back to the IMB even if they relate to in-country arrest or transport.
- the intention to keep the new PDA very separate from the culture and processes of the Immigration Removal Centre situated on the same site is adhered to.

Section 4

4.1 Operational management and IMB monitoring

We consider that the Cedars Centre was managed and operated efficiently to the general benefit of residents during 2016. This is largely attributed to the collaborative efforts of the three agencies, (Home Office Immigration, G4S and Barnardo's). The agencies each have very distinct roles, and in our opinion staff mainly worked effectively together in promoting the care and welfare of the families while resident at Cedars. Although uncertainty about the future of the Centre understandably aroused some anxiety amongst staff, this was not allowed to affect the families in residence.

A key feature of the inter-agency working arrangement is the good practice of holding regular joint reviews after difficult and often challenging family circumstances or removal. 'Lessons Learned' practice reviews, attended by representatives from the three agencies, and observed by the IMB, raised some particular issues about family removals. (See para 3.1)

4.2 Arrest, Escort and Transfer

Residents generally spoke highly about their treatment at Cedars and IMB members observed positive and supportive treatment from Tascor transport staff towards families being collected for removal from the Centre. However, once again the IMB have been informed of heavy-handed treatment by other escort and arrest staff. One mother complained of damage to her leg during the arrest process; an older sibling spoke of not being allowed in the same room as his mother and baby brother during the arrest but being told to pack things for them.

We continue to have concerns about the well-being of families who are picked up from home in the very early hours of the morning. We do not monitor the arrest or in-country escort teams, or the methods they use to carry out the removal process. This is outside our remit. However, we have again raised the above concerns on behalf of the residents in the continuing expectation that arrest and escort procedures will improve.

4.3 Care, Healthcare and Mental Health Care

The Centre has access to healthcare facilities including registered mental health nursing. A registered children's nurse is also available. We consider that the quality of healthcare was of an acceptable standard; this included provisions for residents with stress-related behavioural problems. Good care was extended to pregnant women, including arranging hospital visits, but overall the Board feels that this is not an appropriate environment for them. During the reporting period a total of six ACRT plans were opened for residents to enable staff to better manage and reduce their distress. In our last report we recommended that access to a qualified paediatric mental health nurse should be readily available for children. We have been assured that this is now the case but as the need has not arisen this year we are unable to verify this.

4.4 Catering

The type of food available to residents changed at the end of the previous year from freshly prepared to pre-prepared microwaved meals. Although the IMB considers that this is a retrograde step we received no complaints about food from residents during the reporting period.

4.5 Complaints

Complaint forms are available in a range of languages, and information on how to raise a complaint is readily available to residents. Cedars processed two formal complaints to the Home Office during 2016. As described above, the IMB heard from three families, each complaining about the treatment they received at the hands of the in-country arrest and transport agencies. We therefore continue to recommend that urgent steps are taken to investigate quickly any complaints made by residents to the Home Office and the results reported back to the PDA and the IMB even if they relate to in-country arrest or transport.

The IMB have not received any complaints about Cedars since the PDA opened in 2011. Families have in the main been consistent in complimenting staff on the care and attention they have received.

4.6 Diversity, Equality and Inclusion

The Board can confirm that the Cedars ethos of diversity, equality and inclusion has been a common theme across all the Centre's activities.

The Diversity and Equality Committee was set up under the leadership of the Cedars chaplaincy and performs well. The committee meets quarterly and comprises representatives of the Home Office, G4S, Barnardo's, G4S Healthcare providers, and Aramark Catering services. These meetings were sampled by IMB members and found to be proactive in planning for, and meeting, the needs of the residents. Throughout the reporting period the Equality and Diversity team were actively involved during the family arrivals process. Residents have good access to staff, and Care Officers are responsive to their welfare needs. Religious observance plays an important part in the life of the Centre, and spiritual and pastoral support was available, and demonstrably helpful, on request.

4.7 Education, Learning and Purposeful Activities

There is a good range of facilities and equipment available to Cedars' residents. Cedars does not provide schooling facilities for children due to families' length of stay usually being limited to 72 hours. This generally does not allow sufficient time to receive school reports or make continuing education arrangements. Where possible the Family Returns Team try to obtain up to date school reports in advance or during the family's stay, and if requested Barnardo's will develop educational activities specific to the needs of a family within the time constraints. IMB members have observed children and young people taking part in age-appropriate learning and play activities during their stay. As for last year, we noted that this purposeful activity often helped to alleviate anxieties they have about their situation.

4.8 Family Separation

Where there is the potential for a family member to become disruptive and frustrate the removal process the family may be separated in order to foster compliance. According to Home Office policy, families may be separated: 'where there is potential for an ensured return to fail as a result of disruptive behaviour by the family, and it is considered in the best interests of the children to be temporarily separated from their parent(s) in order to safely ensure the family's return'. On one occasion, family separation occurred when the father was removed after arrest while the remaining family continued to Cedars. The remaining parent appeared to understand the reason for this and accepted it. On another occasion a grandmother, originally arrested with her daughter and family, was declared unfit to fly and

was released. The option of remaining with her family for the night was not offered, but good care was taken to ensure that her wish to return home was adhered to and an appropriate referral made to adult social services.

We recognise the difficulties caused to the removal process when parents refuse to leave and keep their children held tightly to them. We support the Home Office policy not to use force on children in such circumstances.. However, we are concerned that the resulting delay in removal and decision-making, occasionally taking place into the night, causes an increase in distress to the children concerned.

4.9 Length of Stay

One family remained in Cedars for seven days. The delay was caused by the medical condition of one of the children and we are satisfied that they were well cared for during this time. However, we consider that prior knowledge of this condition should have prevented the need for this extended stay.

4.10 Residential Environment, Safety and Security

Cedars generally operated a safe and secure regime within a family-friendly environment. It is our opinion the residential services were provided to a good level, and the facilities maintained to a reasonably high standard. Concerns were identified appropriately for two families prior to their arrival at the Centre, resulting in an FGM protection order in one case. In the other, after discussions with the local authority, it was concluded that the parents were a protective factor for the child involved. It is unfortunate that action could not be taken sooner when such information could possibly alter the decision to remove and is available prior to arrest.

The Centre's low occupancy during the reporting period meant that time was spent reviewing policies, and supporting staff's professional development. A total of 16 contingency exercises and reviews were conducted during 2016 with any necessary alterations to practice made appropriately.

4.11 Use of Force

Force was not used on any residents in Cedars during 2016.

Section 5

5.1 Progress with previously reported matters

In 2015 our recommendations concerned the following.

1. Healthcare

We recommended that a Registered Mental Health Nurse (RMN) or other suitably qualified person should, as a matter of priority, see children in cases where there is concern about a child's mental health.

We were assured that this was addressed. We accept that this is the case although we have no proof that such a person would have been immediately available since there was no need for a child to be seen urgently during the reporting period. We are pleased to report that closer contact was made with Child and Adolescent Mental Health Services (CAMHS) during the year which enabled Barnardo's staff to seek advice where appropriate.

2. Transfer and Night moves

We recommended that wherever possible, families with young children should not be picked up or transferred in the early hours of the morning or at night.

Our concern about the effects of early morning arrests remains.

3. In-country arrest and escort - complaints

We recommended that urgent steps be taken to investigate complaints by residents while they are still at Cedars, and the results of complaints made from Cedars should be reported back to Cedars and the IMB even if they relate to in-country arrest or transport.

Although we can receive the results of any complaints made about Cedars, we still are not made aware of the outcome of complaints made about the arrest or transfer of families.

We also recommended that the IMB should be allowed to observe all meetings and conference calls that concern the welfare and care of the resident families

and related matters, including those relating to the in-country arrest and transportation of families.

We were pleased to receive clarification that IMB attendance at such meetings was appropriate and as a result attended seven such meetings.

4. Detention of pregnant women

We recommended that pregnant women should not be detained, or be resident at Cedars.

Although we still maintain that pregnant women should not be held in detention, we welcome the additional guidance and clarification contained in Detention Services Order 05/2016². Time limits on the detention of pregnant women are now in place, and since their introduction on 12 July 2016 no pregnant women were detained at Cedars. Two pregnant women were resident prior to this date.

² Care and Management of Pregnant Women in Detention DSO 05.2016 Home Office

Section 6

6.1 Statutory Role of the IMB

The Immigration and Asylum Act 1999 requires every Immigration Removal Centre (IRC) to be monitored by an independent board appointed by the Secretary of State. The board is represented by members of the community in which the Centre is situated.

The Board is specifically charged to:

- (1) satisfy itself as to the humane and just treatment of those held in Immigration Removal Centres and Pre-Departure Accommodation (PDA).
- (2) inform promptly the Secretary of State, or any official to whom s/he has delegated authority as it judges appropriate, any concern it has;
- (3) report annually to the Secretary of State on how far the Immigration Removal Centre has met the standards and requirements placed on it, and what impact these have on those held in the Centre.

To enable the Board to carry out these duties effectively its members have right of access to residents, the centre, and also to the centre's records.

This report has been produced to fulfil our obligation under (3) above.

6.2 IMB Diversity Statement

Members of the Cedars Independent Monitoring Board (the Board) are committed to an inclusive approach to diversity, and one which promotes interaction and understanding between people of different backgrounds. Our commitment encompasses race, religion, gender, nationality, sexuality, marital status, disability and age. The Board also recognise that a full and inclusive approach to diversity must respond to differences that cut across social and cultural categories such as: mental health, literacy and substance abuse.

This approach to diversity is incorporated in our recruitment procedures and Board development practices. The Board aims to increase its repertoire of skills and awareness and ensure it is able to positively reflect the diverse needs of the population within Cedars.

All members of the Board endeavour to undertake their duties in a manner that is acceptable to everyone within Cedars regardless of their background or social situation. The Board sees its primary role as ensuring that all residents of Cedars are cared for with respect and humanity and that interaction between staff, residents and visitors is fair and without

prejudice. Where this is not the case, the Board commits to alert appropriate authorities and individuals including the respective managers, Director of the Returns Directorate, and the IMB Secretariat.

6.3 IMB visits

The IMB make at least one unannounced weekly visit in our role as independent monitors. We make further visits to observe family arrivals and removals, attend meetings, and for other activities as required. During 2016 the number of IMB Board members remained below the full complement of 12. We started the year with eight members and ended with five (two resignations and our previous Chair stepping down to take a sabbatical). However, our current membership represents a reasonable cross-section of the community, and members bring a good balance of skills and experience to the task entrusted to them. It is a credit to serving members that we were able to maintain the regular Board meetings, attend national conference and training events, and fully discharge our monitoring role without interruption or complaint. In the fourth quarter of 2016 we initiated a recruitment exercise with some success although appointments have yet to be fully ratified for 2017.

During 2016 we made a total of 38 visits to Cedars, including attendances at meetings. The Board has appreciated the willingness of residents, managers and staff to engage with us in a positive manner. We would also like to extend our thanks to our IMB Clerk for his assistance during the reporting period.

Anne Duffy

Chair

On behalf of the Independent Monitoring Board