



Report of Board findings at the Tug Haven and Kent Intake Unit and Frontier House Short-Term Holding Facilities at Dover [STHF] in 2021

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Introduction and statutory role of the IMB

The Dover Independent Monitoring Board was appointed by the Home Secretary to monitor and report on the welfare of people in short-term holding facilities (STHFs) at the Kent Intake Unit and Frontier House, through observation of their treatment and premises in which they are held. During 2021 it was also able to monitor the Tug Haven initial processing facility. In 2022, it became the Kent Coast Board, with responsibility for the new facilities in Kent.

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

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

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

The report summarises the Board's findings throughout the year. Though there were some initial improvements to the facility and process in the early part of the year, by October the Board was so concerned about the deteriorating conditions at Dover and the impact on those detained that they raised these concerns at ministerial level and published a short report, setting out their findings.

The Kent Intake Unit at Dover Eastern Docks consisted of a large room designed to hold up to 58 detained individuals with a small separate room for families and single females. Both rooms could be observed by detention custody officers. Another room was set aside for the induction and searching of new arrivals and there are a number of interview rooms. Frontier House - a smaller facility in Folkestone – was most

commonly used at times of high demand, acting as an overspill facility for the Dover holding room. Frontier House was designed to hold up to 42 detained individuals.

In June 2021 the IMB at the Dover STHF was granted access to monitor the Tug Haven facility at the Western Docks on a weekly basis, having previously been able to carry out two familiarisation visits. This small facility occupied the site of a car park adjacent to a jetty area where migrants arrived from small boats having completed journeys across the Channel. The facility was not classified as a short-term holding facility but was intended to operate as a short-term measure to detain people before they were taken to onward locations such as holding rooms, immigration removal centres, bail accommodation or hotels used for Covid-19 quarantine purposes.

The Tug Haven facility was closed in January 2022 and two new detention facilities, Western Jetfoil and Manston opened in Kent.

Evidence sections 1 – 4

1. Safety

1.1 Reception

By August 2021, some improvements had been made to the Tug Haven facilities, which made the induction processes and separation of groups within the facility slightly better. The installation of a new tent for induction in August provided a larger, and screened-off, area for the searching of arrivals, with searches generally being conducted by two officers in curtained cubicles. This process offered more privacy and space than was available in the previous tent arrangement. Women were searched in a separate tent.

After Covid-19 tests had been completed, arrivals were called up individually to speak to officers who obtained basic information, issued wristbands to indicate the group with which they arrived, and Polaroid photographs were taken. Once the Covid-19 test results were known, individuals were then moved to wait in another area of the tent where they were briefly interviewed by immigration officers in order to enter information onto electronic Home Office records, assisted by hand-held translation devices.

Induction processes were observed being conducted in a respectful way. However, from conversations with those detained at Tug Haven, and those who then moved on to the Kent Intake Unit (KIU) or Frontier House, it was evident that many were still confused about what was happening to them and sometimes where they were.

1.2 Separation and safeguarding

At the Tug Haven, arrivals were kept separate during the induction process until Covid-19 tests had been completed. Women, families and unaccompanied minors were kept largely separate from single men at the facility, usually being taken to separate screened-off areas of the main event tent or taken to the additional tents behind the main tent. However, by October the purpose-built Portacabin which had initially been used for families and children was being used as a staff rest and wellbeing area, as the Board was told that it was too small to accommodate the numbers of families and children arriving. Women, families and unaccompanied minors were generally transferred to the KIU and single men to immigration removal centres (IRCs) or other intake units. The Board was informed that families, women and unaccompanied minors were moved on as a matter of priority.

In October, some children were sharing tents with adults they did not know, albeit part of other family groups. Children as young as two weeks old were observed during the Board's visits to the Tug Haven.

At the KIU, although all residents were of a similar age group, some held in the holding room were adult single males and some were minors. There was one woman also present in the room.

Processes for conducting age assessments had generally improved since HMI Prisons' observations in September 2020. Age assessments were largely conducted by Home Office social workers at the KIU, with age dispute cases more routinely

transferred to the KIU. By August, the previous concern about minors being incorrectly transferred to IRCs appeared to have been addressed.

1.3 Suicide, self-harm, deaths in custody

There was one recorded self-harm incident of a minor at Frontier House in June.

There were no deaths in custody recorded during the reporting year.

1.4 Use of force

There were four recorded use of force incidents in 2021; all were at Frontier House. The first of these incidents, was in June and was recorded as force used to prevent further self-harm (see 1.3). The additional three incidents were all on separate dates in November 2021. It was recorded that force was used due to residents fighting in all of these incidents.

1.5 Violence and violence reduction

During visits to the Tug Haven in October 2021, some tension was observed amongst detained individuals about the provision of water. This was de-escalated at the time but there could be tension between individuals when food and drinks were provided, particularly when it appeared that supplies were short. There were concerns about the ability of staff to manage this effectively if this were to become an argument between those detained at busy times.

There were three recorded incidents of fighting amongst residents at Frontier House in November (see 1.4).

1.6 Security

As part of the induction process at the Tug Haven, searches were completed. At this point objects such as lighters, razors and knives were removed. All staff were required to wear body armour in the pre-search areas of the facility, though in October it was found that some members of staff were not doing so. In August 2021, it was noted that two individuals who had arrived at Harmondsworth IRC from the Tug Haven had been found with knives on their person.

Whilst the new tent installed in August for induction at the Tug Haven offered more privacy from public view than was previously the case, the area where those detained first arrived at the docks could be viewed from a public area. Members of the public did sometimes watch and film detained individuals arriving. Staff were observed inviting detained individuals to shield their faces with blankets as they were escorted, if they wished to do so.

2. Fair and humane treatment

The Tug Haven was clearly overstretched, manifestly unsuitable for holding detained people overnight. Whilst the facilities at the Tug Haven were observed to have improved somewhat over the reporting year, the site was only suitable for stays of a few hours.

2.1 Accommodation and clothing

Facilities at the Tug Haven were fundamentally unsuitable for stays that exceeded a few hours and there were no appropriate facilities for sleeping. Despite concerns about the accommodation facilities being reported to the Home Office in October, overcrowded, packed conditions with people sitting or lying on the floor of the tent continued to be observed during visits in November.

Sleeping conditions observed during visits to the Tug Haven in October were extremely crowded and the facilities were deemed far too small for the number of people held overnight. During this period, those detained slept on thin foam mats on the floor of the main tent. Each person appeared to have a blanket, but no pillows. With the exception of the initial arrival and search areas of the tent, every part of the floor space in the screened-off areas was used for sleeping. During this period, those detained were packed so closely together that there was no space between mats and people were practically touching. The same was true of the smaller green tents which were used to hold women, families and children. Some detained people slept on double-decker buses, parked on tarmac inside the fence, which apparently were also used as rail replacement buses.

The unsuitability of the tent facilities at the Tug Haven during cold periods and especially over the winter months was concerning. When asked about heating the tents further, it was said that this was something that 'would need to be looked at' but there were 'real health and safety concerns about how this could work'. There were also concerns about the temperature on the double-decker buses sometimes used for sleeping. There was a large amount of condensation in the tents during the mornings, during visits in October.

At the KIU sleeping arrangements could become crowded and lights remained on all night. Detained individuals slept on sleeping mats and were provided with blankets and pillows.

2.2 Food

At KIU hot microwave meals including halal meat are available. There is also provision for baby food. From April 2021 and throughout the rest of the year, there were concerns about the amount of food provided at the KIU with only breakfast bars being offered. It was said that this was because those arriving, having just been at sea, should not be given too much salt or sugar.

The provision of food at the Tug Haven was ad hoc. Those arriving were only given water and plain biscuits. It was said that this was due to the need not to provide food that could be problematic for arrivals who were dehydrated or had unidentified

dietary needs. The very basic snack provision was not acceptable for those who spent more than a few hours at the facility. Staff made arrangements to provide more substantial food to those staying overnight (such as ordering pizzas or providing food supplied by the Red Cross), and in August it was said that that more permanent arrangements for providing food were being investigated.

Staff commented that it could be difficult to regulate how evenly food was divided between individuals and therefore the potential for disputes between those held at the Tug Haven.

2.3 Washing and hygiene facilities

There were no appropriate facilities for washing at the Tug Haven. The Board reported to the Home Office that over the summer months there was no running water at the facility and that, other than hand-washing facilities in the toilets, there were no means for residents to wash. A number of individuals attempted to wash their feet in these sinks and were asked by staff not to do so. There was one shower available at the KIU and those transferred to Frontier House also had no access to proper washing facilities at all. The result was that those detained were routinely going several days without bathing.

At the Tug Haven, residents were accompanied to the toilet block by one or more members of staff. There were male and female toilets and an accessible toilet with a separate door. Families with children were escorted to the accessible toilet and, on one occasion were seen to be taken to the staff toilet block which was outside the facility's fence. The accessible toilet was observed to be clean. However, the male and female toilets (the male toilets in particular) were in an extremely dirty and messy state, with large piles of paper towels and toilet tissues overflowing around the sides of toilet bowls and in other parts of the floor, with faeces clearly visible. During one visit, one of the toilets had become blocked earlier that day and Dyno-rod were called out to resolve this. There was little or no evidence of any cleaning having taken place in the toilets.

During visits through the year, there was an overpowering smell of diesel throughout the main tent at the Tug Haven, which staff stated was due to fuel on migrants' clothing. Similarly, during a visit in November, the inability of those detained at the facility to wash was noticeable by the smell in the packed conditions.

At the KIU the holding room looked messy when there were a large number of people present, with empty wrappers and packets strewn around the floor. Cleaning did not take place frequently enough, and staff commented that proper cleaning could not take place whilst large numbers of residents are present. During one visit to the KUI, it was noted that the cleaner had referred to the shower as 'disgusting' during a cleaning visit. Throughout the year the shower has often been out of order for days at a time.

2.4 Staff/detained individuals' relationships

The interactions observed between staff and detained people during the visits to the Tug Haven were respectful, professional and empathetic. Particularly caring

interactions were observed between staff and children as they were escorted around the site, including one officer spending some considerable time searching for an item one person had requested from their property bag 'to keep him happy'.

A number of friendly interactions between staff and detained individuals at the KIU were observed and those detained spoke highly about the staff. Staff were observed to respond promptly to requests for food, drink and a film to watch.

2.5 Property

At the Tug Haven in October an enormous number of property bags were observed stacked up along the fences and against portacabin and container walls in the outside part of the facility.

3. Health and wellbeing

3.1 Healthcare: general

Medical staff were on-site whenever the facility was open. However, there was only one medical professional available to serve both Frontier House and the KIU, which was not deemed a satisfactory arrangement. Medical screening was carried out by medical staff provided by Medevent, including Covid-19 testing. However, the Board expressed concerns that the medical screening of every detained individual at the KIU was not automatically happening.

A total of two residents from Frontier House and 31 residents from the KIU were taken to hospital in 2021.

3.2 Physical healthcare

Throughout 2021 there were occasions when IMBs at receiving immigration removal centres (IRCs) reported concerns about the health and wellbeing of people arriving directly from the Tug Haven facility. By August, more space within the tent existed to conduct medical screenings. These screenings were observed to be brief and it was apparent from monitoring at the KIU and Frontier House and from feedback from IMBs at receiving IRCs that some medical issues were not fully identified until detained people were transferred to those locations. There were a number of cases of people with serious injuries or health issues being taken straight to hospital from the Tug Haven in the private ambulances provided by Medevent (including a head injury following a road traffic collision in France, stab wounds and a detainee with schizophrenia and without medication).

Two people who arrived at Yarl's Wood from Dover in October had disabilities which had not been detected in Dover. One individual was deaf and mute and was given a supported living plan at Yarl's Wood; the other was deaf. No information about this had arrived with the detained individuals.

Additional concerns related to those arriving from the Tug Haven to IRCs included:

- People arriving from the Tug Haven with chemical burns, having been transferred by coach to an IRC without these injuries having been detected. The Board was informed that this was being formally investigated.
- People arriving from the Tug Haven with bed bugs in their property and on their person, resulting in part of the IRC being closed whilst fumigation took place. The bed bugs had not been detected at the Tug Haven and all arrivals had been provided with clean clothing and their property placed in plastic bags.

During one visit in October, the medic raised a particular concern about a 16 year-old girl who had been admitted to the KIU the day before with fuel burns on her legs. She had been at the Tug Haven for two days and had been wearing wet clothes. The seam of these clothes had become embedded into the burns. The medic reported that the girl was likely to be scarred for life. The medic had been informed that there had been no clothing available for her at the Tug Haven. These injuries had not been

detected until she arrived at the KIU. The medic at the KIU had given her pain relief and she was bailed.

In October, there was an increase in the number of fuel burns on detained peoples' skin. These were often not being detected at the Tug Haven and migrants themselves would not always draw attention to these injuries. However, it was evident from the smell of diesel on clothing at the Tug Haven that there was the presence of fuel (see 2.3).

In October, there was an increase in the number of injuries relating to cuts and bruises on people's feet (usually caused by walking across rocks or rough ground prior to arriving at the Tug Haven). Some of those detained in the KIU had bandaged feet. The medical staff reported that they were making much greater use of plasters and that they had to return to their stores to re-stock on bandages and plasters. However, many of these injuries were also not being detected at Tug Haven.

There were further concerns in October about the risk of wounds becoming infected in the holding rooms at the KIU. The infrequency of cleaning could have contributed to this, and the facilities for people detained there to wash their feet were inadequate (see 4.3).

3.3 Covid-19

By August, arrangements for Covid-19 testing appeared to be more robust than reported in February 2021 by HM Inspectorate of Prisons.

New arrivals were kept separate until the results of their Covid-19 tests were known and areas within the tent or specific vehicles were used as Covid bubbles if required. However, it was impossible to maintain social distancing at the Tug Haven and the KIU especially when the facilities were very busy.

In August 2021 a positive Covid-19 case was reported at the KIU, despite the fact that the detainee had previously tested negative at the Tug Haven.

4. Removal, transfer or release

The large number of detained individuals arriving at the Tug Haven over the summer resulted in many waiting at the facility for long periods of time in uncomfortable conditions, often unclear about what is happening to them. They were often transferred to other locations – such as the KIU, Frontier House and IRCs – in large numbers, causing receiving facilities to become crowded.

4.1 Length of stay

Lengths of stay of individuals held during the reporting year:

Frontier House

- less than 8 hours: 122
- more than 24 hours: 690

KIU

- less than 8 hours: 927
- more than 24 hours: 2252

Over the summer months, when there were large influxes of people arriving at the Tug Haven many detained individuals slept at the facility overnight, though the Tug Haven was not suitable for overnight stays. This was said to be due to the availability of spaces at suitable onward locations and the time taken to arrange appropriate transport. There continued to be a large number of people staying overnight at the Tug Haven through the rest of the year, even after these concerns were reported.

It was reported that when no more places in detention were available, people would be transferred to secure or non-secure hotels. There had been difficulties with transport, partly because of coaches being used as rail replacement services the same day and also due to a lack of taxis.

The length of time that people were spending at the Tug Haven was concerning, particularly families and children (who were nevertheless still prioritised). This was particularly worrying during the cold weather. By November, there were major efforts to move people on to IRCs or hotels, and we were informed that some would be taken to Dungavel IRC, a journey of almost 500 miles.

At the KIU, many of those detained had been in the holding rooms for two days in October. We were told that unaccompanied minors in the holding room would be baled to the Atrium – which was reported as being able to hold 30 people – and that the remainder would be transported to isolation accommodation in taxis.

4.2 Case management

Some individuals detained at the Tug Haven were confused about where they were, where they were going or what was happening to them.

4.3 Removal data January-December 2021

Frontier House:

- Flown on removal flight – from holding area: 0
- Moved to detention – from holding area: 0
- Resident admitted to country – from holding area: 590
- Resident handed to escort/detention – from holding area: 710

KIU

- Flown on removal flight – from holding area: 1
- Moved to detention – from holding area: 54
- Resident admitted to country – from holding area: 4,005
- Resident handed to escort/detention – from holding area: 1,554

4.4 Transfer or release

Those detained at the Tug Haven often had to wait for long periods of time in uncomfortable conditions – sitting on wooden benches or the floor or waiting in vehicles. IMBs at IRCs reported throughout 2020 and 2021 that large numbers of people arrived having spent long periods of time waiting on coaches. Over the summer, there were a number of coaches at the Tug Haven which had been used for onward transportation which were air-conditioned and appropriately stocked with water and a range of snacks.

It was said that the local authority had no capacity to care for new arrivals, resulting in minors spending 100 hours under the Refugee Council's supervision awaiting placement outside the county - with nobody taking official responsibility.



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