

BROOK HOUSE INQUIRY

First Witness Statement of Philip Riley

I provide this statement as the Home Office's Corporate Witness and in response to a Rule 9 request of 16 July 2021 and follow up questions.

I, Philip Riley, Director of Detention and Escorting Services, Immigration Enforcement, Home Office, 3rd Floor, Apollo House, 36 Wellesley Road, Croydon, Surrey, CR9 3RR will say as follows: -

Introduction

1. I am a Senior Civil Servant, currently employed by the Home Office. I have been employed at this grade in the role of Director, Detention and Escorting Services (DES) since September 2018, and have worked as a Civil Servant since 1997. I am duly authorised to make this statement on behalf of the Home Office. Insofar as the contents of this statement are within my own personal knowledge, they are true, otherwise they are true to the best of my knowledge, information and belief.
2. The Home Office has provided the Inquiry with organograms and lists which show both how my role fits in with the broader Home Office hierarchy and a list of staff working in Brook House at the time. Detention and Escorting Services (formerly known simply as 'Detention Services') is the directorate of the Home Office with operational oversight of the immigration removal estate, and for the transfer ('escort') of detained people around the estate and on removal from the United Kingdom.
3. The Inquiry will be aware that, at the time of the broadcast of the Panorama documentary 'Britain's Immigration Secrets', I was not employed at the Home Office. I am making this statement on behalf of the Home Office because my seniority and areas of responsibility put me in the best position to assist the Inquiry in these matters. In making this statement, I have referred where necessary to the documentary itself,

Vulnerability of detainees

48. The Home Office adults at risk in immigration detention policy came into force in 2016, when Detention Services Order 08/2016 was issued in support of this new policy. The policy recognises the dynamic nature of vulnerability. It strengthens the existing presumption against the detention of those who are particularly vulnerable to harm in detention. It was part of the Government's response to Stephen Shaw's first review of the welfare of vulnerable people in immigration detention. The policy was part of a wider programme of work which aimed to improve the way in which vulnerable people in detention are managed.
49. The policy requires a case-by-case assessment of the appropriateness of detention for each individual, based on the nature and evidence of vulnerability available in their particular case.
50. The policy balances at-risk considerations against immigration factors. If an individual is identified as being at risk they will be regarded as being at a certain evidential level, depending on the evidence provided in their particular case. They will be detained only when the immigration factors outweigh that level of evidence-based risk. I would refer the Inquiry to the published policy itself for more on its operation and its application to individuals in detention.
51. I would defer to the assessment of experts in their assessment of the Adults at Risk (AAR) policy's effectiveness. Any assessment of its effectiveness at Brook House during the relevant period will, to some degree, be stymied by the benefit of hindsight, and would need to be cognisant that the policy was in its infancy during that time. I note that the IMB's report for 2017 offered a balanced view on the nascent policy. More recently, in his second report on immigration detention, Stephen Shaw acknowledged the genuine focus on vulnerability that the AAR policy had fostered and commented that it would be "folly" to abandon it. Clearly, there may be room for improvement in the operation of the Adults at Risk policy, including at Brook House. The operation of Adults at Risk is subject to annual inspection by the Independent Chief Inspector of Borders and Immigration (ICIBI). In responding to the Inspector's first review, the then