



Immigration Enforcement

FACTUAL INACCURACY CHECK BROOK HOUSE

FACTUAL INACCURACY CHECK

DRAFT INSPECTION REPORT – UNANNOUNCED INSPECTION OF BROOK HOUSE

INSPECTED: 31 October – 11 November 2016

	Reference	Statement	Comment/Action	HMI Prisons Response
1)	Page 5 Para 2, line 3	“We found that the average length of detention at Brook House had increased substantially from 28 days to 50 days”	<p>Following an examination of data (snapshot of 31 October 2016, the date we understand your inspectors used in drafting the report) the average length of detention at Brook House was found to be 48 days.</p> <p>It would be useful in addition for it to be made clear when the average length of detention was 28 days so that the comparison made is clear in what period detention has increased from 28 to 48 days.</p> <p>Please amend accordingly to:</p> <p>“We found that the average length of detention at Brook House had increased substantially from 28 days to 48 days”</p>	Report amended as suggested to say, ‘We found that the average length of detention at Brook House had increased substantially since the last inspection from 28 days to 48 days’
2)	Page 14 Para S8, line 5	“....The number of strip-searches was high and paperwork did not always justify this....”	<p>Please replace the term strip-search with the term “<u>full-search</u>”</p> <p>Change to:</p> <p>“....The number of full searches was high and paperwork did not always justify this....”</p>	We use the term ‘strip search’ in all reports for reasons of clarity. No change.



	Reference	Statement	Comment/Action	HMI Prisons Response
3)	Page 14 Para S11, line 4	"....but access to the BID website and other important sites had been blocked."	<p>Although not factually inaccurate we would be grateful if this sentence could be rephrased please. As drafted, it could be misconstrued that this was an active decision by the Home Office to block the websites mentioned, rather than the result of filtering software which can erroneously block legitimate websites.</p> <p>The BID website as well as the Refugee Council and Freedom of Torture websites, which are also mentioned in the report, have now been unblocked and detainees are able to access them.</p>	Replaced with '...but access to the BID and other important sites was blocked'.
4)	Page 15 Para S15, line 7	"...Regular consultation meetings were held, with Home Office and health care representation, but they were not consistently well attended by detainees."	Please could you clarify whether the reference to the regular consultation meetings includes the Diversity and Safer Community meetings which are very well attended on a regular basis and provide an opportunity for detainee feedback and views to contribute to improvements? Please can this distinction be made clearer?	Diversity meetings are already mentioned positively under S17 and in the main body of the report but do not equate to general consultation meetings for all detainees. No change.



	Reference	Statement	Comment/Action	HMI Prisons Response
5)	Page 18 Para S35, line 4	"....24 detainees had been held for over a year, four of whom had been detained for over two years. The longest detention was for over two and a half years."	<p>A review of the snapshot data period (31 October 2016) showed that 23 detainees had been detained for over a year (19 for over 1 year and 4 for over 2 years). 2 of the 19 held over a year had been held solely in Brook House. The 4 detainees in Brook at the time of the inspection who had been held for over 2 years had been detained for that period cumulatively within the detention estate.</p> <p>Suggest change to:</p> <p>"... Twenty-three detainees had been held for over a year, four of these for over two years within the detention estate, including their time at Brook House. The longest detention was over 2.5 years."</p>	Text replaced with, '... 23 detainees had been held for over a year, four of these for over two years. The longest detention was for over two and a half years.'
6)	Page 20 Para 1.12, line 2	"...There had been eight assaults on detainees..."	Could clarification be provided both on whether this statement refers to formal allegations / complaints of assault and if it refers to alleged detainee on detainee assaults or alleged staff on detainee assaults?	This is based on data provided by the centre and refers to detainee actions. Amended for clarity to 'There had been eight detainee on detainee assaults ...'



Immigration Enforcement

FACTUAL INACCURACY CHECK BROOK HOUSE

	Reference	Statement	Comment/Action	HMI Prisons Response
7)	Page 22 Footnote 8	"We define an adult at risk as a person aged 18 years or over, 'who is or may be in need of community care services by reason of mental or other disability, age or illness; and who is or may be unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation'. 'No secrets' definition (Department of Health 2000)."	It might be helpful to observe here, for the sake of clarity, that the definition of an adult at risk employed by HMCIP is not the same as that employed in the Home Office adults at risk in immigration detention policy (which is broader than the HMCIP definition).	Amended to: 'We define an adult at risk as a person aged 18 years or over, 'who is or may be in need of community care services by reason of mental or other disability, age or illness; and who is or may be unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation'. 'No secrets' definition (Department of Health 2000). <i>However, we have considered practice in light of the Home Office's own and broader definition of an adult at risk, as set out in its new policy.'</i>
				41 Page



Immigration Enforcement

FACTUAL INACCURACY CHECK BROOK HOUSE

	Reference	Statement	Comment/Action	HMI Prisons Response
8)	Page 22 Footnote 9	"Under the Adults at Risk in Detention guidance, risk is assessed at three levels. The Home Office will assess the detainee at level 3 ..."	Change to: "Under the Adults at Risk in Detention guidance, levels of evidence (ranging from level 1 to level 3) are used to assess the likely risk of harm to the individual if detained for the period identified as necessary to effect their removal. An individual will be regarded as being at level 3..."	This is not at odds with our description, which is briefer and clearer to the reader. No change.
9)	Page 23 Para 1.29, line 7	"...One detainee was assessed at the lowest level of risk..."	Change to: "...One detainee was assessed as being at the lowest level of evidence-based risk..."	This is not at odds with our description, which is briefer and clearer to the reader. No change.
10)	Page 24 Para 1.44, line 1	"Strip-searching and cell searches were intelligence led. The number of strip-searches was high, with 52 in the previous six months..."	Please replace the use of the term strip searching to that of "full searching" Change to: " Full searching and cell searches were intelligence led. The number of full searches was high, with 52 in the previous six months..."	No change made for reasons given above.



Immigration Enforcement

FACTUAL INACCURACY CHECK BROOK HOUSE

	Reference	Statement	Comment/Action	HMI Prisons Response
11)	Page 27 Para 1.68, line 3	"....Twenty-four detainees had been held for over a year, four of these for over two years. The longest detention was over 2.5 years."	<p>A review of the snapshot data period (31 October 2016) showed that 23 detainees had been detained for over a year (19 for over 1 year and 4 for over 2 years). 2 of the 19 held over a year had been held solely in Brook House. The 4 detainees in Brook at the time of the inspection who had been held for over 2 years had been detained for that period cumulatively within the detention estate.</p> <p>Suggest change to:</p> <p>"... Twenty-three detainees had been held for over a year, four of these for over two years within the detention estate, including their time at Brook House. The longest detention was over 2.5 years."</p>	Amended as above



Immigration Enforcement

FACTUAL INACCURACY CHECK BROOK HOUSE

	Reference	Statement	Comment/Action	HMI Prisons Response
12)	Page 27 Para 1.68, line 2	"The length of detention in the centre had increased substantially from 28 days to 50 days..."	<p>Following an examination of data (snapshot of 31 October 2016) the average length of detention at Brook House was found to be 48 days.</p> <p>It would be useful for it to be made clear during what period the average length of detention was recorded as 28 days so that the comparison being made is clear in what period detention has increased from 28 to 48 days.</p> <p>Please amend accordingly to:</p> <p>"The length of detention in the centre had increased substantially from 28 days to 48 days..."</p>	Amended as above
13)	Page 28 Para 1.70, line 1	"During the previous six months, 78 Rule 35 reports had been submitted..."	<p>Based on the Transparency figures (at the time of the inspection Q3 2016 wouldn't have been published), for the previous 6 months (Q1 and Q2 2016) 72 reports had been submitted.</p> <p>Change to:</p> <p>"During the previous six months, 72 Rule 35 reports had been submitted..."</p>	These figures were verified from original records held by Healthcare. Can you please confirm that the Healthcare records were wrong? We will amend as suggested on receipt of this confirmation.



	Reference	Statement	Comment/Action	HMI Prisons Response
14)	Page 28 Para 1.70, line 2	"...A third of reports had led directly to the release of the detainee, more than we usually see."	Having looked at the data behind the Transparency figures, for the previous 6 months (Q1 and Q2 2016) 31 of the 72 (43%) reports submitted resulted in a release. Change to: " ...43% of reports submitted had led directly to the release of the detainee, more than we usually see."	As above, these figures were verified from original records held by Healthcare. Can you please confirm that the Healthcare records were wrong? We will amend as suggested on receipt of this confirmation.



	Reference	Statement	Comment/Action	HMI Prisons Response
15)	Page 28 Para 1.73, line 1	"The Home Office agreed that there was independent evidence of torture with three detainees, but maintained detention under the adults at risk in detention guidance....."	<p>The concept of "independent evidence of torture" does not apply in respect of the adults at risk policy.</p> <p>Please consider changing to:</p> <p><i>"In three cases the Home Office accepted the doctor's assessment that there was evidence which indicated that the individual had been tortured, but maintained detention under the adults at risk in detention guidance."</i></p>	<p>Amended to: 'In three cases the Home Office accepted the doctor's assessment that there was evidence the individual had been tortured, but nonetheless maintained detention under its adult at risk in detention guidance'</p> <p>Also, in the same paragraph, for clarity the mention of 'another country' is amended to '<u>third</u> country'.</p>



	Reference	Statement	Comment/Action	HMI Prisons Response
16)	Page 28 Footnote 12	“Requires notification to UKBA if a detainee’s health is likely to be “injuriously affected by detention, including if they may have been the victim of torture.	Please replace UKBA with the Home Office. Change to: “Requires notification to the Home Office if a detainee’s health....”	Amended as suggested.
17)	Page 32 Para 2.6	“There were monthly detainee consultation meetings. Four or five staff attended and the Home Office and health care were consistently represented. Attendance by detainees varied between none and more than 30; the meetings were not consistently attended by enough detainees, but there was evidence of action to address issues which had been raised.”	Could you clarify whether the reference to the regular consultation meetings includes the Diversity and Safer Community meetings which are very well attended on a regular basis and provide an opportunity for detainee feedback and views to contribute to improvements? Please can this distinction be made clearer?	See reply above, no change.
18)	Page 35 Para 2.27, line 4	“.....There was no health needs assessment to inform the health improvement plan.”	The Health Needs Assessment was last updated in 2012. Change to: “...There was no up to date Health Needs Assessment to inform the health improvement plan, the previous update having been carried out in 2012. ”	Amended as suggested.



	Reference	Statement	Comment/Action	HMI Prisons Response
19)	Page 35 Para 2.32, line 1	"Detention officers and health staff had access to appropriate emergency equipment..."	Please amend Detention Officers to " <u>Detainee Custody Officers</u> " Change to: "Detainee Custody Officers and health staff had access to appropriate emergency equipment..."	Amended as suggested.
20)	Page 37 Para 2.50, line 2	"...We observed a detention officer supervising the methadone queue..."	Please amend Detention Officers to " <u>Detainee Custody Officers</u> " Change to: "...We observed a Detainee Custody Officer supervising the methadone queue..."	Amended as suggested.
21)	Page 38 Para 2.52, line 4	"....Detention officers could administer paracetamol to detainees after 9pm following consultation with a health professional, who logged the administration on SystmOne."	Change to: ".....Detainee Custody Officers could administer paracetamol to detainees from the wings 24 hours a day , following consultation with a health professional, who logged the administration on SystmOne.	Amended to '..... <i>Detainee custody officers</i> could administer paracetamol to detainees, following consultation with a health professional, who logged the administration on SystmOne.



Immigration Enforcement

FACTUAL INACCURACY CHECK BROOK HOUSE

	Reference	Statement	Comment/Action	HMI Prisons Response
22)	Page 38 Para 2.56	"G4SM contracted East Sussex Hospital to provide dentistry services...."	"G4SM contracted East Surrey Hospital to provide dentistry services...."	Amended as suggested.
23)	Page 38 Para 2.57, line 1	"More than half the detention officers had received...."	Please amend Detention Officers to " <u>Detainee Custody Officers</u> " Change to: "More than half the Detainee Custody Officers had received...."	Amended as suggested.
24)	Page 38 Para 2.58, line 4	"...and the Samaritans ran a valuable monthly visiting service,"	Change to: "...and the Samaritans ran a valuable fortnightly visiting service"	Amended as suggested.
25)	Page 38 Para 2.59, line 2	"...were then referred for assessment through triage or by detention officers..."	Please amend Detention Officers to " <u>Detainee Custody Officers</u> " Change to: "...were then referred for assessment through triage or by Detainee Custody Officers ..."	Amended as suggested.
26)	Page 39 Para 2.62, line 1	"In May 2016, G4SM contracted RAPt...."	Change to: "In May 2016, NHS England contracted RAPt..."	Amended as suggested.



Immigration Enforcement

FACTUAL INACCURACY CHECK BROOK HOUSE

	Reference	Statement	Comment/Action	HMI Prisons Response
27)	Page 41 Para 3.4, line 1	"The education provision had been restructured successfully to meet the increased average length of stay of 50 days.."	Following an examination of data (snapshot of 31 October 2016) the average length of detention at Brook House was found to be 48 days. Please amend accordingly to: The education provision had been restructured successfully to meet the increased average length of stay of 48 days."	Amended as suggested.
28)	Page 65 Appendix III, Table (i) Age	Total percentage "10100"	Total percentage of 10100 is incorrect. Please change to the correct percentage.	Amended to '100'.
29)	Page 67 Table (v) Detainees' last location before detention in this centre		There is no data contained within the table.	The centre completed this proforma and left this section blank as it could not provide the data. If the data is provided, we will insert.
30)	Page 69 Appendix IV, Para 7, line 1	"At the time of the survey on 31 December 2016....."	Change to: "At the time of the survey on 31 October 2016"	Amended as suggested.