

Kate Eves

Chair, Brook House Inquiry

By email: Enquiries@BrookHouseinquiry.org.uk

12 January 2024

Dear Chair,

I write further to your letter of 18 December 2023, and your request for an update on the steps taken by the Independent Monitoring Boards to review and formally respond to the recommendations made to the IMB.

The IMB welcomes your report and takes seriously the findings and recommendations made. The IMB remains committed to learning from the unacceptable events which occurred at the Brook House IRC. I will provide a formal response to the recommendations within six months of the publication of the Inquiry report but set out below an update on planned key activities and progress to date.

Two of your recommendations were directly addressed to the IMB and I address these in this update, however we have reflected far more broadly on the lessons to be learnt from the matters revealed by the Inquiry. Indeed, the IMB did not await publication of your report before beginning its work to learn from the Inquiry and I will provide further details of this with our formal response, but a summary of key activities includes:

- Specialist human rights training and follow up written guidance for all IDE members
- Specific training and guidance from Medical Justice on monitoring and following concerns related to healthcare (Rule 34/35)
- Training on the ACDT process (for supporting those at risk of suicide or self-harm)
- Toolkits for members on Rule 34/35 and on defining the use of force.

Recommendation 13: Audit of use of Rule 40 and Rule 42 of the Detention Centre Rules 2001

Issue	Planned action	Deadline
The National Chair and Management Board of Independent Monitoring Boards “must review processes to consider how they fulfil their oversight role in respect of Rule 40 and Rule 42, and report on the monitoring of the use of Rules 40 and 42 going forward.”	<u>Completed actions</u>	Due to complete in February 2024.
	Monitoring of Rules 40 and 42 is covered in the new IDE Pocketbook, which is a guide for members for what to look for when monitoring immigration detention.	
	Monitoring issues around Rules 40 and 42 are included in the new rota and annual report templates and guidance that have been produced.	Issued to members in November 2023.
	<u>Outstanding actions</u>	IMB staff team coordinating the development in early 2024.
	IDE toolkit on monitoring of Rules 40/42 to be produced.	
	To note: IMB staff continue to press the Home Office to amend the Detention Centre Rules as per previous agreements dating back to 2018, as detailed in previous evidence given to the Inquiry.	

Recommendation 33: Improving the investigation and reporting of HM Inspectorate of Prisons and Independent Monitoring Boards

Independent Monitoring Boards working within immigration removal centres must ensure that they have robust processes for:

Issue	Planned action	Deadline
“Obtaining and reporting on an enhanced range of evidence and intelligence from detained people and those who represent or support them, staff and contractors, including that which is received outside of inspections or visits”	<u>Completed actions</u> The pocketbook developed for IDE members details the evidence and the intelligence that IMBs should report on.	Due to complete in February 2024.
	The new rota and annual report guidance templates distributed in November 2023, give Boards clear direction on reporting on a range of evidence.	November 2023
	IMBs have increased their accessibility in detention settings through: <ul style="list-style-type: none"> • application forms translated into multiple languages 	November 2021
	<ul style="list-style-type: none"> • ice breaker cards in multiple languages • posters on the role of the IMB in multiple languages. The improved accessibility is intended to enhance the IMB’s ability to obtain evidence from detained people.	January 2023 December 2023
“Reporting on any concerns about the Home Office and contractors”	<u>Completed actions</u> The IMB’s <i>reporting abuse policy</i> was updated and agreed by the Management Board in June 2023. This gives clear guidance to members on what to do if they are told by a	June 2023

	detained person that they have suffered abuse from staff or other detained people.	
	<p>The IDE pocketbook provides guidance on steps to take if abuse is revealed.</p> <p><u>Outstanding actions</u></p> <p>IDE toolkit for members on monitoring indicators of mistreatment, including staff cultures to be produced.</p> <p>National training session to be delivered on monitoring indicators of mistreatment, including staff cultures. This is in addition to the training provided in 2020 on raising concerns and preventing abuse.</p>	<p>Due to complete in February 2024.</p> <p>IMB staff team coordinating the development of guidance and training for members, drawing in relevant expertise where appropriate. To be developed in early 2024.</p>

In respect of recommendation 33, it has remained the case that individual IMBs and the National Chair, reflecting thematic evidence, have raised concerns and criticised failings. For example:

- On 7 April 2023 my predecessor wrote to the Director of Detention Services with questions related to the handling of a death in custody at Colnbrook IRC in March, as well as wider concerns regarding support for the number of vulnerable individuals in immigration detention.
- On 16 June 2023 my predecessor wrote to Robert Jenrick, the then Minister of State, and copied to the Home Secretary with concerns related to the Illegal Migration Bill.
- On 20 October 2023 the Heathrow IMB wrote to the Home Office regarding serious concerns for safety at Heathrow IRCs.
- On 12 December 2023, I wrote to the Chief Pharmaceutical Officer for England to relay the repeated concerns of the IMB regarding detained people's access to prescription medication in STHFs.

Recommendation 32

Recommendation 32 is for the government to respond to, but the IMB is supportive of the proposals and would be happy to assist in actioning the response to these concerns. These are key issues that the IMB has pressed for, for several years now.

As an organisation that monitors all places of detention, we are committed to sharing the learning from the Inquiry with all local IMBs, including those monitoring in prisons. During the first quarter of 2024, there will be a roll out of a presentation on the key findings from the Inquiry addressed to the IMB that will be shared at regional meetings, capturing all IMB Chairs and inviting discussion. Some Chairs have already started to discuss learning from the Inquiry with their Boards, but all will be encouraged to cascade these key findings to their Board members. This presentation will be accompanied by a detailed 'Guide' for members which is intended to be an aid for all members in locating topics in the report which are relevant to monitoring and reporting through rota and annual reports.

I trust that the update provided demonstrates the IMB's position as an organisation committed to learning and acting on the findings from the publication of the Brook House Inquiry Report.



Elisabeth Davies – National Chair, Independent Monitoring Boards