

EMBARGOED UNTIL 00.01 HOURS ON FRIDAY 15 AUGUST 2003

**DUNGAVEL – INSPECTORATE CALLS FOR LIMITATIONS ON
DETENTION OF CHILDREN**

Staff at Dungavel Removal Centre were dealing conscientiously and positively with detainees, but it is still inappropriate to hold children there except for very short periods, says Anne Owers, HM Chief Inspector of Prisons, in an inspection report published today.

The report calls for the detention of children to be an exceptional course, for no more than a matter of days, and with independent assessments of children's welfare needs. The report is issued together with the report of a follow-up visit, carried out last month, by HM Inspectorate of Education in Scotland (HMIE), who also participated in the original inspection.

The inspection reports that there was a child-friendly atmosphere in the family unit, where staff were alert to child protection responsibilities and trying to create a safe and positive environment. However, children and families were locked into the family unit, and needed to ask staff if they wished to go out; at the time of the inspection there were insufficient play areas and access to the outside for children.

Anne Owers said:

“It is clear that staff in the centre, and the authorities co-operating with them, aimed to provide the best possible service to children within their care, within the constraints of a secure facility.

“However, HMIE's follow-up report concludes that even the improved educational facilities in July 2003 were acceptable only for a short period – no more than two weeks. They also found that ‘the positive development of children was compromised by the secure nature of the facility and the uncertainty surrounding the length of stay’.

“This confirms our view, expressed in other reports, that the detention of children should be an exceptional measure and should not exceed a very short period – no more than a matter of days. The key principle is not the precise number of days – whether it is the seven days we proposed for short-term removal centres in England or the two weeks beyond which even their educational needs cannot be guaranteed.”

It is that the welfare and development of children is likely to be compromised by detention, however humane the provisions, and that this will increase the longer detention is maintained. We therefore believe that there should be an independent assessment of the needs of each child to advise on the compatibility of detention with the welfare of the child and to inform decisions on detention and continued detention.”

Anne Owers also, however, commends many aspects of the overall regime at Dungavel, and the good work of staff and managers.

“Staff were dealing positively and conscientiously with detainees, though they were unable to compensate for the profound feelings of insecurity and anxiety that detention involved. There was generous provision of constructive and leisure activities, compared with other centres. Detainees themselves told us that the centre was fair, decent and they were well-treated by staff. This is in distinct contrast with other centres we have inspected.”

Nevertheless, only 15 percent of detainees who responded to the Inspectorate’s survey said they felt safe, and this was mainly because of the fact of detention and their isolation and uncertainty about the future; their comments, recorded in the report, were poignant

The report contains many examples of good practice. However, it also records matters that the centre and immigration authorities need to address:

- The long journeys, with limited stops, to get to Dungavel, so that families often arrived distressed and disoriented. One family travelled the 400 miles from south-east England, only to be immediately returned;
- Ineffective case management by the immigration service and insufficient competent legal advice;
- Anti-bullying strategies specific to detainees should be developed to avoid intimidation;
- There should be protocols for medical and immigration staff for detainees who say they have been tortured or mistreated in their countries of origin; and
- The need for welfare assistance to assist detainees with practical difficulties during detention and on removal.

NOTE TO EDITORS

1. The task of Dungavel Immigration Removal Centre (in Strathaven, South Lanarkshire, Scotland) is to hold those detained by the Immigration Service as overstayers, illegal entrants or failed asylum seekers prior to their removal from the country.

It also holds a proportion of detainees whose cases have not yet been determined, but who are considered to be at risk of absconding or whose identities are being established.

2. The Immigration and Asylum Act 1999 conferred on the Chief Inspector of Prisons the responsibility for the inspection of detention centres (now renamed removal centres) in England, Wales and Scotland. Prior to this, any inspection of detention centres took place by invitation of the Secretary of State. Following the introduction of the Detention Centre Rules 2001, it was decided to carry out full inspections of all the detention centres in the UK and to publish some comparative findings. Five centres were originally inspected, followed by the inspection of the last remaining two, Harmondsworth and Dungavel, in order for strategic recommendations to be informed by an examination of the whole estate.
3. At the invitation of the Chief Inspector of Prisons, the Scottish HM Inspectorate of Education (HMIE) contributed to the inspection of Dungavel. Their findings contributed to the Chief Inspector's report. HMIE revisited Dungavel in July 2003 to provide an update on the findings. The update report by HMIE is also published today. Information on HMIE is available from their website: www.hmie.gov.uk.
4. Prison Inspectorate reports and press releases are available from <http://www.homeoffice.gov.uk/justice/prisons/inspprison>. Embargoed media copies are available in advance from the press office on 020 7273 3782.