

13 June 2006

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**TO: CHAIRS OF INDEPENDENT MONITORING BOARDS IN PRISONS AND  
IMMIGRATION SERVICE ESTABLISHMENTS**

cc: Governors and Directors at Prison Establishments  
Managers of Immigration Removal Centres  
Clerks to the IMBs  
Members of the National Council

Dear Chair

**MOVEMENTS OF FOREIGN NATIONAL PRISONERS FROM OPEN PRISONS**

The attached briefing note was prepared following the National Council Meeting on May 24<sup>th</sup> 2006 in response to recent events. The paper includes a summary of the responses of IMB Chairs affected by the removals of foreign national prisoners from open prisons during May 2006.

A copy of the briefing note has been sent to the Home Secretary.

**Norman McLean**  
Head  
IMB Secretariat

**Simon Nieboer**  
National Council

## **MOVEMENTS OF FOREIGN NATIONAL PRISONERS FROM OPEN PRISONS MAY 2006**

This briefing note was prepared following the National Council Meeting on May 24<sup>th</sup> 2006 and includes a summary of the responses of IMB Chairs affected by the removals of foreign national prisoners from open prisons during May 2006.

With the exception of HMP Ford where all the FN prisoners were removed by Prison Service Tornado teams in the early hours of May 26<sup>th</sup>, all other open prisons affected were required to remove selected FN prisoners on instruction for "assessment of suitability in open conditions". This was a combined operation between Prison Service HQ and IND.

While recognising that this action may have been necessary to reduce the risk of absconds of FN prisoners from the open estate, the advice available to staff in sending and receiving prisons has been poor. Comments that there appeared to be no "rhyme or reason" for the way prisoners were selected combined with the lack of paperwork accompanying the prisoners added to the confusion. Staff attempts to answer questions about immigration status of prisoners were met by unanswered phones. The concerns of families and the prisoners themselves about whether they would be allowed to return to their open establishments to continue with their resettlement work remain unanswered. The impact of this uncertainty on FN prisoners remaining in open prisons was evident in the higher abscond rate following the early removals at HMP Ford.

Our thanks go to the Chairs and Boards who were called on to independently monitor these events and assist staff follow up the legitimate concerns of prisoners removed at short notice and with inadequate information about their future. It is hoped that this background information will help receiving Boards address the needs of these FN prisoners dispersed throughout the Prison Service and bring matters to the attention of the National Council and Ministers as necessary.

It is evident to colleagues that many FN prisoners are being treated with a lack of humanity owing to the inadequacies of the Immigration Assessment System.

*By the time FN prisoners are assessed for D cat open prisons there should be an expectation that their deport status will have been determined.*

*Those who agree to be deported without appeal may be eligible for removal under the Early Release Scheme and possibly transferred to open conditions subject to risk assessment. Those who are not being deported should be able to pursue their resettlement work without further disruption as D Cat prisoners in open conditions in the expectation of release in the UK.*

Simon Nieboer  
IMB National Council  
May 31<sup>st</sup> 2006

**A summary of Information supplied by Board Chairs to National Council representatives for the NC Meeting held at the IMB Secretariat May 24 2006.**

**HMP Ford**                      *Arundel, West Sussex*                      *Male Open*

At the beginning of May HMP Ford had 185 foreign national prisoners (a third of all foreign national prisoners held in the open estate).

Ship outs started on May 6<sup>th</sup> and by May 21<sup>st</sup> 11 FN prisoners had been shipped.

3 claimed to hold British passports.

The Governor was obviously not in charge of the selection of which prisoners were to be shipped. There appeared to be no rhyme nor reason as to who was shipped out.

The remaining FN population were unsettled - 4 absconded between May 14<sup>th</sup> - 20<sup>th</sup>. (A total of 11 absconds for the month to date).

*Update: May 26<sup>th</sup> Tornado teams arrive to remove the remaining FN prisoners.*

**YOI Thorn Cross**                      *Warrington, Cheshire*                      *Male YO Open*

On May 9<sup>th</sup> 4 FN young offenders were transferred at short notice to HMP Deerbolt in Co Durham. Staff managed to get their property and give them a drink before they left and promised to contact their families. They were told that they were going to have an assessment (*suitability to remain in open conditions*) and the deputy Governor assured them that they would be back at Thorn Cross as soon as possible.

**HMP Latchmere House**                      *Richmond, Surrey*                      *Male Open*

On May 17<sup>th</sup> 5 FN prisoners shipped to HMP Coldingley without prior notice. Prisoners travelled in the clothes they stood up in and were given no opportunity to collect their property and no papers travelled with them.

**HMP Coldingley**                      *Woking, Surrey*                      *Male Cat C*

On arrival at Coldingley, staff were quite unable to obtain any information about what was to happen to these people - calls being referred from one unmanned phone to another.

The prisoners believe that they will be deported.

Because of the lack of paperwork Coldingley staff were unaware that one prisoner was due for an appeal hearing on May 31<sup>st</sup> relating to his possible deportation. Another had a naturalisation certificate in his possession confirming his UK citizenship. Another was due to visit his 6 year old daughter in hospital for an operation. These matters were flagged up with staff.

The IMB Chair wrote to the Home Secretary on May 19<sup>th</sup> expressing his concerns. As yet no reply has been received.

*Update : 3 prisoners from Ford arrived May 26<sup>th</sup> . Coldingley now over capacity.*

**HMP Kirkham**      *Preston, Lancs*      *Male Open*

9 FN prisoners returned to closed conditions - one on his release date - another

one sent to Haverigg with a letter in his possession from the Home Office stating that a mistake had been made previously about his status.

No FNs are now being accepted at Kirkham.

