



Immigration
Enforcement

[REDACTED]

Equality Impact Assessment [EIA]



Section 1:

Campsfield immigration removal centre (IRC)

An effective immigration detention system, as part of a fair and humane approach to immigration enforcement, is both a government requirement and an expectation of the public. To achieve this, we must provide a detention estate with enough resilience to ensure it can absorb fluctuations in demand, such as a change in in-flow of time-served Foreign National Offenders (FNOs) and short-term operational pressures.

The Home Office currently operates eight immigration removal centres (IRCs) throughout the UK (six in England and one in Scotland) and three residential short-term holding facilities (RSTHFs) (one in Northern Ireland and two in England). Derwentside IRC is a dedicated female only facility (with 84 beds) with the other six IRCs housing – predominantly – single adult males. Current immigration detention capacity is around 2,400 beds.

The immigration removal estate is kept under ongoing review to ensure that the Home Office has sufficient resilience, geographical footprint and capacity for the men and women it is necessary to detain for the purposes of removal.

As part of the Government's plans to tackle illegal migration, the Home Office is expanding its detention facilities, to assist with the removal of those with no right to remain in the UK.

The Home Office is redeveloping an IRC at the former Campsfield House, near Oxford, which closed in 2019 as part of our modernisation and rationalisation programme. Development is being undertaken in two phases: refurbishment of existing buildings (Phase 1) and new build accommodation (Phase 2). Campsfield is a mixture of refurbished and new-build accommodation built to the latest standards, taking account of findings from external scrutiny reports and internal lessons learned reviews to provide modern, safe, secure and connected accommodation for 160 adult men in Phase 1 with further expansion in the future.

The new Campsfield IRC provides some of that new detention capacity, up to 400 beds for men. Campsfield IRC was identified as a suitable option after reviewing a number of government-owned and private sites. When sites were assessed for suitability, the Equality Act was taken into account, with consideration being given to hospital access; suitability of any existing facilities for those with disabilities; and suitability for accommodating men and women separately if needed. Campsfield IRC houses single adult males only.

Improvements to immigration detention have been made in recent years, with a programme of reforms introduced following [2015](#) and [2018](#) reviews of welfare in detention as well the findings of the [Brook House Inquiry](#). [2015](#) reports have informed both our strategic and tactical approach to immigration detention and those liable for detention. Over time, the Government has necessarily adapted its strategic approach around the use of



immigration detention in response to the international challenge of illegal migration and the need to break the business model of people smuggling gangs.

Detention remains a key part of our immigration system, and we are committed to using detention only when necessary.

The new IRC operates in line with the statutory framework established by the Immigration Act 1971 and the Detention Centre Rules 2001, and guidance - including Detention Services Orders - applies to the new centre. The centre provides safe, secure and fit for purpose accommodation for up to 400 single adult males, with a full range of appropriate recreational and healthcare facilities. We will continue to ensure that these and all detention facilities are fit for purpose, and the safety, dignity and welfare of those detained is paramount.

The Home Office is committed to designing and operating the new IRC in a way that reflects and responds to the characteristics and needs of the population who will be detained there. Opening a new male-only IRC is not intended to impact negatively on people with protected characteristics; we are committed to implementing the change in a way which promotes and enhances equality of opportunity, respects diversity and takes into account the needs of people with protected characteristics. Where there may be a negative impact, we explain how this is justifiable and proportionate and explain the mitigating action being taken. This EIA does not consider the potential equality impacts of the SSHD's current detention framework in general.

The new IRC provides up to 400 beds (compared to approx. 250 at the previous site). 160 beds are part of the refurbished site, with 240 of the beds within new build site; these are dual-occupancy rooms with integral toilets and basins. The refurbished rooms are primarily twin-bedded (with a very small number either single occupancy or triple (one room) or quadruple occupancy (one room)). While not having in-room sanitation, people staying in the refurbished rooms have 24/7 access to toilets and showers; this is in line with accommodation in two existing IRCs (Dungavel and Tinsley House).

As with other IRCs, we anticipate the centre holding a mix of time served FNOs and immigration offenders.

We are engaging with the Legal Aid Agency (LAA) to ensure that all men detained at Campsfield have access to the Detained Duty Advice Scheme (DDAS), which provides access to legal advice to all detained individuals in English IRCs. The first surgeries have been scheduled which all residents have access to.

This EIA is being kept under review as plans develop for phase 2

Section 2: Consideration of aim 1 of the duty: eliminate unlawful discrimination, harassment, victimisation, and any other conduct prohibited by the Equality Act 2010.

The need for significant long-term capacity with a wider national footprint reflects Immigration Enforcement's strategy of modernising the immigration removal estate.

The public sector equality duty under s149 of the Equality Act 2010 requires that in exercising their functions, public authorities must have due regard to the need to:

- Eliminate discrimination, harassment, victimisation and any other conduct prohibited by the Act;
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Under s149 the eight specified protected characteristics are age; disability; gender reassignment; pregnancy and maternity; race (including ethnic or national origins, colour or nationality); religion or belief; sex; and sexual orientation.

Schedule 18 to the 2010 Act sets out exceptions to the public sector equality duty. In relation to the exercise of immigration and nationality functions, s149(1)(b) – advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it – does not apply to the protected characteristics of age, race (insofar as it relates to nationality or ethnic or national origins) or religion or belief. Schedule 3 to the 2010 Act contains exceptions to the prohibition of discrimination on the basis of sex.

Direct discrimination is treating someone less favourably because of one or more protected characteristics, and indirect discrimination is doing something in a way that has a less favourable impact on someone who shares a protected characteristic than it does on others who do not share it, unless that treatment is objectively justified. The test to be applied is whether an individual would have received the less favourable treatment if they did not have the protected characteristic¹.

Further, detailed consideration in relation to this specific proposal is given to each of the characteristics below.

¹ Discrimination and differentiation guidance (page 6), v2.0, published on 22 March 2018 [horizon.fcgs.gsi.gov.uk/file-wrapper/discrimination-and-differentiation]. Equality Act 2010, c. 15, 2(2)(13) [Equality Act 2010, c. 15, 2(2)(13). Available at: <https://www.legislation.gov.uk/ukpga/2010/15/section/13>].

a. Direct discrimination

SEX:

By opening a male-only facility at this location, we have considered the risk that the policy constitutes direct discrimination on the grounds of sex.

We consider that failing to segregate the sexes would make the detention arrangements considerably less effective for both men and women. The detention estate has long operated sex-segregated IRCs. This is due to the significant evidence (and widely accepted principle) that female residents have needs that are different to and often more complex than men and so a sex specific approach is required to manage detained environments in a way that meets the needs of its population, particularly around issues of safeguarding and vulnerability. A full range of recreational and healthcare facilities and multi-faith/prayer will be available to residents and visits will be facilitated in line with those in other centres. Residents will have access to services catering to the particular needs of male populations, such as barbers. Greater physical security measures have been adopted across the IRC, considering the all-male population.

Paragraph 26 of Schedule 3 to the Equality Act 2010 contains an exemption from the prohibition of direct discrimination on the basis of sex:

- (1) *A person does not contravene section 29, so far as relating to sex discrimination, by providing separate services for persons of each sex if—*
- (a) a joint service for persons of both sexes would be less effective, and*
 - (b) the limited provision is a proportionate means of achieving a legitimate aim.*
- (2) *A person does not contravene section 29, so far as relating to sex discrimination, by providing separate services differently for persons of each sex if—*
- (a) joint service for persons of both sexes would be less effective,*
 - (b) the extent to which the service is required by one sex makes it not reasonably practicable to provide the service otherwise than as a separate service provided differently for each sex, and*
 - (c) the limited provision is a proportionate means of achieving a legitimate aim.*

In line with other male-only IRCs, men may be expected to share rooms with other unrelated men.

We are satisfied that this approach is a proportionate means of achieving the legitimate aim of ensuring that the detention estate is operated as a secure environment so far as is necessary to ensure the safety and security of

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detained people and staff, tailored to the circumstances of each centre with no more restrictions than are necessary.

RACE: (includes ethnic or national origins, colour or nationality):

Home Office detention policy does not require individuals to be detained, or indeed exclude individuals from immigration detention, on the grounds of race, ethnic or national origins, colour or nationality. Any person who is without leave and requires it may, in principle, be subject to detention, provided that the statutory powers of detention apply and that their detention is in line with published Home Office policy on the use of detention.

The Operating Standards stipulate the minimum auditable standards on a range of issues, including race relations, concerned with the management and operation of IRCs. All removal centres have anti-bullying systems and strategies in place to work towards minimising the occurrences of bullying and all other forms of threatening or anti-social behaviours. In addition, supplier staff, Detainee Custody Officers (DCOs) and Home Office staff working in IRCs receive training on equality and diversity.

On admission to an IRC, detained people are encouraged to sign a "Compact" setting out their responsibilities and rights whilst in detention. It makes clear that they are required to treat each other with respect regardless of (amongst other things) the individual's race or nationality background.

Published Home Office guidance 'DSO 06/2013 Reception and Induction Checklist and Supplementary Guidance' requires the contracted service provider operating immigration detention facilities to conduct primary and secondary language assessments of each detained individual during the arrivals and induction process. The outcome of which is recorded on the individual's detention profile on the contracted service provider's information database, to enable appropriate support with engagement throughout their time in the IRC. Professional interpreting facilities must be used whenever language barriers are identified on reception, induction or discharge-

To address potential language barriers that may be experienced by those of different nationalities, 'DSO 02/2022 Interpretation Services and use of Translation Devices' provides instruction and guidance on the use of interpretation services and electronic translation devices. It sets out the provisions, including interpretation services and translation devices available for individuals held in immigration detention, and the circumstances in which these should be used. This guidance requires that staff consider the individual needs of the detained individual and circumstances of the engagement when deciding which interpretation or translation method should be used. The service provider is contractually required to adhere to the instructions set out in DSOs.

We do not consider that this policy will result in direct discrimination in respect of this protected characteristic.

RELIGION / BELIEF & NON-BELIEF:

Home Office detention policy does require individuals to be detained, or exclude individuals from immigration detention by virtue of their religion or belief. Any individual may in principle be detained regardless of religion or belief (or absence of it), provided that one of the statutory powers of detention is engaged and their detention would be in line with published Home Office policy on the use of detention.

Rule 22 of the Detention Centre Rules 2001 requires that a Minister of Religion (MOR) must be appointed at each IRC where the number of residents so warrants it and that arrangements must be made for MORs to meet every resident of their religion as soon as possible after their reception to detention. Under DC Rule 23 arrangements must also be made for Ministers of Religion to visit detained persons as often as they reasonably can, whilst the individual remains in detention. The Detention Services Operating Standards for IRCs set timescales for visits by Ministers of Religion. The Standards similarly require the establishment of a multi-faith team in each IRC and the publishing of a calendar of religious festivals and observances.

Those who practice a certain religion or belief and have specific dietary requirements, will be offered meals suitable for their needs.

We do not consider that this policy will result in direct discrimination in respect of this protected characteristic.

GENDER REASSIGNMENT:

Home Office detention policy does not exclude individuals from detention by virtue of the fact that they are undergoing, or have undergone, gender reassignment. However, under the Adults at Risk policy, being a transgender person is specified as an indicator of risk of harm in detention. Someone who has undergone gender reassignment may therefore be detained only when the immigration control factors outweigh the evidence of their vulnerability.

Currently, an interim operational instruction [Care and management of transgender individuals in the immigration removal estate \(accessible\) - GOV.UK](#) provides guidance on placement and risk assessment of transgender individuals in the detention estate. This instruction will remain in place and apply to Campsfield IRC until substantive guidance is published.

Following the Supreme Court Judgment in the case brought by For Women Scotland against the Scottish Government on the issue of the meaning of "sex" in the Equality Act 2010, [For Women Scotland Ltd \(Appellant\) v The Scottish Ministers \(Respondent\)](#), the Home Office are developing an agreed cross-departmental approach on matters of accommodation and searching of transgender individuals in various settings, including immigration detention.



The agreed approach will inform a new and substantive version of the DSO (11/2012) on the management of transgender individuals in detention.

We do not consider that this interim guidance, or more in-depth DSO (when published) will result in direct discrimination in respect of this protected characteristic, particularly as the DSO will be based on an agreed Home Office approach to the Supreme Court Judgment, based on legal advice. A transgender individual would be assessed as high risk under the RSRA process and therefore allocated a single occupancy room. We do not consider that the implementation of these changes will directly discriminate against anybody due to gender reassignment status.

SEXUAL ORIENTATION:

It is a long-standing policy that being lesbian, gay or bisexual of itself is not grounds for exclusion from detention. In his 2016 review of resident welfare Stephen Shaw did not recommend any change to this position and the Home Office accepted this. Individuals who identify as LGB are therefore just as likely to be detained as their heterosexual counterparts provided that the statutory powers of detention are engaged, and their detention would be in line with published Home Office policy.

We do not consider that this policy raises issues of direct discrimination in respect of this protected characteristic.

PREGNANCY AND MATERNITY:

Section 60 of the Immigration Act 2016 provides that a pregnant woman detained pending removal or deportation may be detained only if her removal or deportation will take place shortly or there are exceptional circumstances to justify her detention. In either case, her detention may last for no more than 72 hours although, in exceptional circumstances, this may be extended up to an absolute maximum of 7 days if that extension is authorised by a Minister. During the short periods pregnant women are in detention they will receive the same treatment and access to services as though they were in the local community.

As the new centre will not house women, we do not consider that these proposals are directly or indirectly discriminating in relation to pregnancy and maternity.

AGE:

Where family groups with children under 18 are detained for removal, their detention will be governed by the limitations set out in the Immigration Act 2014. To secure the UK border, the Home Office may also detain families with children at ports pending a decision on whether to grant them entry or, having been refused entry, pending their return flight.

Unaccompanied children under the age of 18 may also be detained for short periods of time in a limited number of very exceptional circumstances. Most commonly, this occurs in port holding rooms on arrival in the UK, pending

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alternative care arrangements being made for the child with friends/relatives or local authority children's services. Detention in these circumstances must be for as short a period as possible.

The Adults at Risk (AAR) policy specifies being aged 70 years or over as an indicator of risk of harm in detention. This policy introduced in September 2016 as part of the (then) Government's response to the first independent review into the welfare of people in immigration detention by Stephen Shaw, referred to above, strengthened the presumption against the detention of those who are regarded as being vulnerable to harm in detention. This includes people aged 70 years and over. People falling into this age group will be detained only when immigration control considerations in their case outweigh their inherent vulnerability.

Children will not be detained in the new IRC. A boy who is initially detained as an adult but whose age is later disputed as being under 18 years, may have already been detained prior to the age dispute issue having arisen. Where the individual in question meets the published Home Office "age dispute" criteria, they will be released from detention to the care of local authority children's services at the earliest opportunity, whilst their age is established.

We do not consider that opening the new IRC will raise direct discrimination issues in respect of age.

DISABILITY:

Home Office detention policy does not operate with absolute exclusions in relation to specific groups, such as those with either mental or physical disabilities or impairments. Under the Adults at Risk policy an individual considered to be "at risk" will be detained only when the immigration control factors outweigh the evidence of vulnerability presented in their case. Having a serious mental or physical disability, including suffering from post-traumatic stress disorder, are specified as indicators of risk under the policy.

The Adults at Risk (AAR) policy sets out considerations for individuals with a "serious physical disability" whereby it states "where an individual may be suffering from a serious disability it may inhibit their ability to cope within a detention environment and should be factored into any consideration of detention and, indeed, into consideration of their general management through the immigration process". Mental illness is covered in the AAR policy and states that such conditions may inhibit an individual's ability to cope within a detention environment and should be factored into any consideration of detention and into consideration of their general management through the immigration process.

Detention Services Order 4/2020 "Mental vulnerability and immigration detention- nonclinical guidance" provides guidance on provision of support to those with mental vulnerabilities in detention.

A person with disabilities may be held at any IRC that can accommodate their needs. There is disabled access across the majority of the estate for those

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who are able to move independently and are capable of participating in the regime with minor assistance from others.

Refurbished buildings in Phase 1 are old and therefore do not comply with modern DDA standards. To gain full compliance, a full-redesign and restructure of the works would have been required which would have incurred time and cost implications to the refurbishment. This would have applied to the bedrooms as well as the rest of the Phase 1 space.

We will continue to use the existing compliant DDA accommodation within the rest of the IRC estate until DDA compliant accommodation and facilities are delivered within Phase 2 (new build construction). The design of the Campsfield Phase 2 development has been prepared to ensure full compliance with the Equality Act 2010 and the principles of inclusive design as set out in Approved Document M of the Building Regulations. The scheme seeks to provide equitable, safe, and dignified access for all users, including staff, visitors, and detainees with disabilities.

We do not consider that opening the new IRC will pose direct discrimination issues in respect of disability.

MARRIAGE AND CIVIL PARTNERSHIP:

Home Office detention policy does not exclude individuals from immigration detention by virtue of their being married or in a civil partnership. Any individual may in principle be detained regardless of their marital/civil partnership status provided that one of the statutory powers of detention is engaged and their detention would be in line with published Home Office policy on the use of detention.

We do not consider that opening the new IRC will pose direct discrimination on the grounds of marriage/civil partnership.

b. Indirect discrimination

SEX:

We have considered whether this policy position in relation to sex could result in indirect discrimination as the policy of segregating by sex in IRCs means that one gender is always likely to be disproportionately impacted by the characteristics of a particular regime or location of a given centre. If this policy were to result in indirect discrimination, it is considered that the proposals are a proportionate means of achieving a legitimate aim for the same reasons as set out above: seeking to ensure that the immigration detention estate is tailored to the needs of women and men as appropriate, has the right amount of capacity, is fit for purpose and flexible, and serves the whole of the UK whilst minimising the cost to the public purse where possible.



RACE: (includes ethnic or national origins, colour or nationality)

Where individuals in detention consider they are experiencing discrimination, or other negative treatment as a result of their race, nationality or ethnic origins they will continue to be able to request transfers to another IRC in the estate, in line with arrangements set out in DSO 3/2016 “Resident Placement”. By expanding the detention estate footprint we are providing more flexibility and scope to meet such requests.

We consider that, in the event that there were to be any disproportionate impact on persons of a particular race, the decision to open this IRC is justified as a proportionate means of achieving the legitimate aim of developing the detention estate in an appropriate manner across the UK, as set out above.

RELIGION / BELIEF & NON-BELIEF:

As a Minister of Religion will be appointed to the new IRC, along with a multi-faith team, it is reasonable to assume that if issues arise specifically connected to a particular individual’s religion/belief the relevant Minister of Religion should be available to provide assistance to resolve them. We do not consider that these changes will have a disproportionate impact upon people of different religions or no religion, but to the extent that they do, we consider that this is a proportionate means of achieving the legitimate aim set out above.

GENDER REASSIGNMENT:

Home Office detention policy does not completely exclude individuals from detention by virtue of the fact that they are undergoing, or have undergone, gender reassignment. However, under the Adults at Risk policy, being a transgender person is specified as an indicator of risk of harm in detention. Someone who has undergone gender reassignment may therefore be detained only when the immigration control factors outweigh the evidence of their vulnerability. The interim instruction on the care and management of transgender detained individuals requires that a vulnerable adult care plan is opened for each respective individual, and a multi-disciplinary team (MDT) meeting scheduled, to consider the individual’s circumstances. The purpose of the care plan is to provide clear information for the individual and staff about the preferences, requirements, obligations and entitlements in respect of the individual and will cover issues such as accommodation, facilities and searching.

The Home Office acknowledges that detained persons with this protected characteristic may be more susceptible to being bullied by other people in detention. They may also have other welfare issues stemming from their gender identity, and these are supported through relevant staff attendance at the MDT and agreement of provisions based on the individual’s circumstances and needs.

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We do not consider that this approach will have an adverse impact upon transgender people as compared to people who are not transgender. To the extent that it does impact upon them, we consider that this is a proportionate means of achieving the legitimate aim set out above.

SEXUAL ORIENTATION:

In his review of resident welfare [REDACTED] made some criticisms about the general treatment of lesbian, gay and bisexual people in detention and recommended that the Home Office should consider drawing up a Detention Services Order to address their needs. He also recommended that anti-bullying policies should explicitly reference lesbian, gay and bisexual residents. In response to these comments, where a gay, lesbian or bisexual individual chooses to declare or express their sexual orientation openly there are established procedures, set out in DSO 2/2016 "Lesbian, gay and bisexual residents in the detention estate" for dealing with vulnerabilities associated with sexual orientation, in particular the fact that lesbian, gay and bisexual people may be more likely to experience bullying/harassment from other people in detention. Where a gay, lesbian or bisexual individual's sexuality is openly expressed, the Home Office acknowledges that people with this protected characteristic may be more susceptible to being bullied by other people in detention. We do not consider that this policy will have a disproportionate impact upon people of any particular sexual orientation, but to the extent that they do, we consider that this is a proportionate means of achieving the legitimate aim set out above.

PREGNANCY AND MATERNITY:

Section 60 of the Immigration Act 2016 provides that a pregnant woman detained pending removal, or deportation may be detained only if her removal or deportation will take place shortly or there are exceptional circumstances to justify her detention. In either case, her detention may last for no more than 72 hours although, in exceptional circumstances, this may be extended up to an absolute maximum of 7 days if that extension is authorised by a Minister. During the short periods pregnant women are in detention they will receive the same treatment and access to services as though they were in the local community. As the new centre will not house women, we do not consider that these proposals are directly or indirectly discriminating in relation to pregnancy and maternity.

AGE:

Although any person may experience health problems whilst in detention, such issues are likely to be more common in elderly people, given that infirmity increases with age. Where the elderly are detained the provision of round-the-clock IRC primary healthcare from doctors and nurses ensures that any existing health issues the individual may have, or which may arise whilst in detention, will be identified and treated. We do not consider that these changes will have a disproportionate impact upon people with this protected



characteristic, but to the extent that they do, we consider that this is a proportionate means of achieving the legitimate aim set out above.

DISABILITY:

Following publication of DSO 08/2016 “Management of adults at risk in the detention estate” a consistent approach is taken by all Home Office, supplier and healthcare staff working with those in detention to identify and record changes to the physical or mental health of a person in detention, or a change in the nature/severity of any previously identified vulnerability, alongside the current IS91RA risk assessment process. Any vulnerability that may impact on the safety and wellbeing of an individual must be addressed and reasonable adjustments be put in place, which must be documented in the care plan.

The Detention Engagement Team in the IRC aim to conduct an induction for all people entering detention within 48 hours of arrival as well as regularly engaging with each individual throughout their detention. Their one-to-one interactions support the wellbeing of people in detention, particularly in identifying any signs of vulnerability and / or signs of deterioration in physical or mental health.

The new IRC will be able to accommodate people with disabilities in line with the rest of the estate once phase 2 construction is complete.

MARRIAGE AND CIVIL PARTNERSHIP:

Detained individuals who are married or in a civil partnership may well be anxious as a result of being separated from their partner because of detention, though this is not automatic and is equally likely to apply to any detained person in a long-term relationship. We will facilitate visits on a daily basis in line with other IRCs.

Accordingly, we do not consider that these changes will have a disproportionate impact upon people of any particular marital status, but to the extent that they do, we consider that this is a proportionate means of achieving the legitimate aim set out above.

Section 3: Consideration of aim 2 of the duty: Advancing equality of opportunity between people who share a protected characteristic and people who do not share it.

The Equality Act specifies regard to three specific aspects:

- removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;

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- taking steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it; and
 - encouraging persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

Schedule 18 to the 2010 Act sets out exceptions to the public sector equality duty in relation to the exercise of immigration and nationality functions – s149 (1)(b), advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it – does not apply to the protected characteristics of age, race (insofar as it relates to nationality or ethnic or national origins) or religion or belief.

Therefore, the following protected characteristics have been considered:

- disability:
- gender reassignment
- pregnancy and maternity
- sex
- sexual orientation

As stated elsewhere in this document, by opening a male-only IRC we are inevitably making different arrangements for people being detained, on the basis of their sex. Otherwise, individuals who share and do not share protected characteristics will be equally subject to the same regime within the new IRC, the exception being those with a disability, with policies in place as outlined above to ensure that a protected characteristic does not impede an individual's ability to take advantage of the activities and facilities available.

We do not consider any further action is required to advance equality of opportunity, as there are clear justifications for the proposal.

This is justifiable under the Equality Act 2010.

Those in immigration detention's ability to participate in public life is inevitably constrained by virtue of their detention, though as indicated elsewhere in this document, they continue to have access to telephones, the internet, Skype and other forms of communication including visits.

Section 4: Consideration of aim 3 of the duty: Fostering good relations between people who share a protected characteristic and persons who do not share it.

The Equality Act specifies that having due regard to this limb involves considering the need to:

- (a) tackle prejudice; and,

(b) promote understanding.

Individuals who share and do not share protected characteristics will be equally subject to the policy, with the potential only for discrimination on the basis of sex. We regard the policy overall of expanding the estate with due regard for the needs of the detained population overall as a proportionate means of achieving a legitimate aim. As a result, we do not consider there to be a risk to good relations.

We do not believe that opening a male-only IRC will adversely affect or impact people who share a protected characteristic nor will it affect good relations between people who share a protected characteristic.

Section 5: Ongoing compliance with the PSED.

In opening the new IRC, we are broadening the detention estate footprint, providing greater flexibility whilst ensuring sufficient detention capacity for both men and women.

IRCs have a range of long-standing welfare arrangements in place to support people in detention, including a range of specific DSOs about the management and support of those with protected characteristics. Service providers in IRCs provide health and welfare services; with 24-hour healthcare available to all detained persons.

The introduction of Home Office Detention Engagement Teams (DETs) in IRCs as a result of Stephen Shaw's review into the welfare of people in detention has improved the ability of those detained to seek advice, help or support. Having an on-site engagement officer enables any issues raised to be addressed quickly and signposting to Legal Advice Surgeries where required.

Ministers of Religion offer a source of welfare support; the new IRC will cater to all major religions and requests can be made for any Minister who is not readily available.

Evidence considered

Home Office records show that the number of men entering detention over recent years were as follows:

2016	Total 24,810
2017	Total 23,289
2018	Total 21,129
2019	Total 21,114
2020	Total 13,808
2021	Total 24,072
2022	Total 20,000
2023	Total 16,785
2024	Total 18,393
2025 (Jan – Mar)	Total 4,510

[REDACTED]

Source: "Immigration system statistics data tables," GOV.UK, published on 24 August 2023, <https://www.gov.uk/government/statistical-data-sets/immigration-system-statistics-data-tables#detention>.

HM Inspectorate of Prisons (HMIP) and other external monitoring bodies have made comments which are relevant to our decision to open a new IRC on the site of the former Campsfield House IRC. Some of these are reproduced below.

The published HMIP Expectations for Immigration Detention set out the detailed criteria used by the inspectorate for assessing the conditions for and treatment of immigration residents². The final HMIP inspection report prior to closure (the inspection taking place in September 2018) noted that *"Overall, this is a positive report, with some areas of good practice. However, it is clear that energy and investment are needed to address some developing concerns and to improve the deteriorating accommodation"*. It further noted that *"There had been a deterioration in the standard of accommodation and many rooms were bare and had broken or missing furniture and signs of damp. Notwithstanding the low numbers in the centre, many rooms were cramped."*

The Independent Monitoring Board's Annual Report for 2018 noted that the Board *"is satisfied that management treated residents equally and fairly, with due regard to such factors as: religion; colour, race and ethnicity; disability; gender and sexual orientation. The facilities of the centre were available to all residents"*. The Board also *"affirms its recent assessment of Campsfield House as a well-run centre. Both centre management and the resident team of Home Office Immigration Enforcement have sought actively to provide safe and secure accommodation for residents, to be responsive to their needs and interests, and to ensure their fair and humane treatment. The atmosphere has generally been good throughout the year."* It also noted that one of the reasons given for closure by the then Director General of Immigration Enforcement was *"the ageing infrastructure of Campsfield House, which would have required considerable investment for its continued long-term use as an immigration removal centre."*

In his two independent reviews into the welfare of people in immigration detention (published in 2016 and 2018), the former Prisons and Probation Ombudsman [REDACTED] commented on the former Campsfield House IRC, with the 2018 report noting *"Campsfield, although well-regarded generally, had rooms that were not decent. This was exemplified by one room with seven very narrow beds, clothes hanging from bunks, and poor ventilation. To be frank, it resembled a doss house."* He also commented *"Despite its generally favourable reputation, living conditions at Campsfield were poor. Originally opened as an IRC with 199 beds in 1993, by the time of my visit this had increased to 282. Only seven men could be accommodated in single rooms (and the difficulties ex-prisoners faced in transitioning from a*

² HM Inspectorate of Prisons, "Expectations for immigration detention: Criteria for assessing the conditions for and treatment of immigration detainees," v5.0, 2024, <https://cloud-platform-e218f50a4812967ba1215eaecede923f.s3.amazonaws.com/uploads/sites/19/2024/12/Immigration-Expectations-2024.pdf>.



single cell to a dormitory, that I noted in my first report, were still in evidence). The result was a degree of squalor."

In developing plans for the new site, we will be taking those concerns into account, providing a mix of refurbished and new-build accommodation meeting modern standards and guidance in relation to the occupancy, size and layout of rooms and the provision of facilities and services.

Brook House Inquiry report (published 19 September 2023)

The Statutory Inquiry into mistreatment at Brook House IRC (the Brook House Inquiry) published its final report on 19 September 2023. The report contains 33 recommendations covering 10 key themes (safety/experience, restrictions on detained people, use of force, contracts, physical design/environment, complaints and whistleblowing, healthcare, safeguards for vulnerable individuals and inspection/monitoring). The findings and recommendations in the report have been and continue to be considered by a cross government working group and are being taken into account, where appropriate, including as work to open Campsfield IRC progresses. The Government published its response to the Inquiry's report on 19 March 2024.

As at June 2025, 21 of the 30 accepted recommendations have been met and closed, with the remaining 9 recommendations on track for closure by summer 2025.

The Detention Centre Rules 2001 make provision for the regulation and management of IRCs. They provide for matters such as:

- Welfare and privileges of detained persons,
- Certification of accommodation,
- Time in open air,
- Diversity of religion, religious denomination in detention and religious services,
- Security and safety,
- Duties of detainee custody officers

Detention Centre Rule 3 defines the purpose of IRCs as to provide for the secure but humane accommodation of detained persons in a relaxed regime with as much freedom of movement and association as possible, consistent with maintaining a safe and secure environment, and to encourage and assist detained persons to make the most productive use of their time, whilst respecting in particular their dignity and the right to individual expression.

The Detention Services Operating Standards manual - GOV.UK (www.gov.uk) for IRCs stipulates minimum auditable standards on a wide range of issues concerned with the management and operation of IRCs. These include specific sections related to disability, women, race relations and religion.

Regarding operational practice in immigration detention more generally, the Home Office has published a range of mandatory guidance (Detention

[REDACTED]

Services Orders) which gives focused and specific consideration to the treatment of individuals who possess certain protected characteristics. This guidance includes:

- An [interim instruction on the care and management of transgender detained individuals](#) which requires consideration of individual needs through vulnerable adult care plans MDT discussions considering preferences, requirements in respect of the individual and covers decisions as to accommodation, facilities and searching.
- As referenced above, this will be superseded by substantive guidance (replacing the previous DSO 11/2012) following an agreed departmental approach on the interpretation of the aforementioned Supreme Court Judgment.
- [Detention Services Order 14/2012](#), on the care and management of age dispute cases in the detention estate, which provides guidance for staff on how to deal with individuals in the detention estate who claim to be under 18 years of age when there is a lack of physical or definitive documentary evidence to prove that this is the case.
- [Detention Services Order 02/2016](#), on LGB residents, which sets out standards for the treatment of LGB persons in the immigration detention estate.
- [Detention Services Order 4/2020 "Mental vulnerability and immigration detention-nonclinical guidance"](#) which provides guidance on provision of support to those with mental vulnerabilities in detention.
- Detention Services Order 08/2016 'Management of adults at risk in immigration detention' which provides guidance on the care and management of adults in detention who are identified as being at risk in line with the Adults at Risk in Immigration Detention Policy. This includes (but is not limited to) those identified as those suffering with a mental health condition or impairment, suffering from a serious physical disability, suffering from other serious physical health conditions or illnesses, being aged 70 or over and being a transsexual or intersex person.
- [Detention Services Order 9/2012](#) on searching policy provides guidance on the searching of detained individuals, staff, visitors, vehicles and mail and makes specific reference to religious/cultural considerations and the searching of transgender individuals. It is acknowledged that this guidance is expected to be updated following the agreement of a departmental approach on the interpretation of the aforementioned Supreme Court Judgment.

The statement of requirements for the site and services at Campsfield IRC will conform to the Immigration Removal Operating Standards and Detention Services Orders



Section 6: Section 55 duty (for immigration, asylum, and nationality considerations only).

Children will not be detained in the new IRC. A boy who is initially detained as an adult but whose age is later disputed as being under 18 years, may have already been detained prior to the age dispute issue having arisen. Where the individual in question meets the published Home Office “age dispute” criteria, they will be released from detention to the care of local authority children’s services at the earliest opportunity, whilst their age is established.

Section 7: Risks to vulnerable individuals and other groups (if applicable*).**

As per other immigration removal centres, people detained at Campsfield IRC while only be detained where this is in accordance with the Adults at Risk in immigration detention policy and general detention policy.

[Adults at risk in immigration detention.docx](#)

Section 8: Declaration and sign off.

I have read the available evidence, and I am satisfied that this demonstrates compliance, where relevant, with section 149 of the Equality Act 2010 and that due regard has been had to the need to eliminate unlawful discrimination, advance equality of opportunity and foster good relations.

This EIA will be reviewed on: **27/11/2026**

SCS Name & Title:



Directorate/Unit: Immigration Detention, Detention Services

Lead contact:



Date: 27/11/2025

the 1990s, the number of people in the UK who are employed in the public sector has increased by 1.5 million, from 2.5 million in 1980 to 4 million in 1998. The public sector has become a major employer in the UK, and its growth has been a key factor in the overall growth of the economy.

The public sector has also become a major provider of social services, and its growth has been a key factor in the overall growth of the economy. The public sector has become a major provider of social services, and its growth has been a key factor in the overall growth of the economy.

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