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TRANSCRIPT OF "FILE ON 4" – "*YARL'S WOOD*"

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“FILE ON 4”

Transmission: Tuesday 24th June 2014

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Producer: Sally Chesworth

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ACTUALITY OF DEMONSTRATION

PEOPLE SHOUTING: Yarl’s Wood detention centre, shut it down! Yarl’s Wood detention centre, shut it down!

COX: This is one of the latest in a series of demonstrations about conditions inside Yarl’s Wood immigration removal centre. It has been dogged by allegations of guards sexually abusing detainees and poor standards of healthcare. Tonight one former insider speaks publicly for the first time about his concerns.

FINN: Believe me, I exhausted every avenue and I’m still in the dark. This is the first time I’ve actually come out in the open, talking to yourselves. I’ve raised this over and over and over and over again through the proper systems.

COX: With the company that runs it under scrutiny from MPs and criticisms piling up about detaining women for indefinite periods, is it time to close Yarl’s Wood?

SIGNATURE TUNE

ACTUALITY OF MUSIC

SINGER: ... and she's in eternity somewhere, and I believe she's saying to all of us, don't cry for me

COX: On a bright sunny day in early June, inside a former music hall in North London, which now doubles as a church, the family and friends of Christine Case gathered to bury her. Christine was a forty year old Jamaican national, who had only been in Yarl's Wood detention centre for ten days when she collapsed in March. Her sister, Diane, recalls being told about this in a phone call from her daughter.

CASE: She said, 'Mum, Christine is dead.' I was in shock, I was in pieces, I was trembling, I was screaming, it was really, really bad as I couldn't believe that she has gone. It leave a really bad impact on us. We're going to miss her really bad because she was so loved by everyone.

COX: Her family and friends say they have many agonising questions over her death. There's a suspicion among some detainees that Christine's health problems weren't adequately dealt with. These frustrations were summed up by the pastor conducting the funeral.

ACTUALITY OF MUSIC

PEOPLE: Alleluia!

PASTOR: And I pray that nobody else has to go through this, to cause the institution to pay attention. Do I have anybody in here? ... and say, it has to change.

COX: Serco, who run the centre, say Christine Case was given a full medical on arrival and a nurse was with her three minutes after staff were alerted to her collapse. We won't get the full picture until an inquest is held into her death later this year. But it has focused attention on Yarl's Wood and the hundreds of women waiting there to find out whether they'll be removed or deported from the UK.

ACTUALITY AT YARL'S WOOD

COX: So what's Yarl's Wood like? Well, this is as close as I can get to it. I'm at a metal fence beyond which I can see some buildings a few hundred metres away. They're pretty modern, two storeys high, small windows. I wanted to see inside those buildings, but the Home Office wouldn't let me. They said it wasn't a zoo where people could come and stare at the inmates. To find out what it is like beyond this fence, I'm about to call someone who is currently a detainee. She doesn't want to be identified, so what you'll hear next is an actor who is speaking her words.

ANGELA: The environment is just like prison really. You cannot really get much of what you want as regards to maybe your freedom.

COX: So what can you see out of your window?

ANGELA: You can only see the gate. The first is huge and the second is like barbed wire and after that there is an open field full of forest, and you see nothing, just fields and gates surrounding, so it just looks like a proper prison. And the windows in the bedrooms, you cannot even open them wide, they have locked them so that is all you can see. And the little air that comes into the room, you just have to accept it.

COX: And do you have keys?

ANGELA: We have keys to our bedrooms and keys to our lockers but the officers have keys as well to the bedrooms. They do regular searches. They come in the morning and they tell you they have to search our bedroom and they turn everything upside down. You have to stand and wait and it can take more than thirty minutes for you to stand and let them search. They go through everything. And you get situations where after a week they search again.

COX: This woman doesn't want to be returned to Africa, where she says she was sexually abused by a relative, a priest, and forced to have abortions. A report earlier this year from the campaign group, Women for Refugee Women, found that over 70% of the detainees they had interviewed in Yarl's Wood had been victims of rape and almost half said they been tortured.

ANGELA: There is frustration and depression and people are here for a long time, a lot have been here for six, seven, eight, ten months and a lot of women feel withdrawn. They are just in their bedrooms, not eating, and they are just so tired and they don't even know who to speak to or who to cry to.

COX: And how are you doing?

ANGELA: I can't really say because I am just frustrated. There are times I don't think detention is sufficient for me and women facing immigration problems. It feels like torture and I begin to ask myself if I am a criminal and what have I done to deserve this and why cannot I have the freedom while they look into my case.

COX: Yarl's Wood has changed a lot since it was originally built as the equivalent of a category B prison. Since Serco took over the running of the centre in 2007, they have tried to improve conditions there and say they provide a very high standard of care. Richard Johnson is a former Serco director, who was brought in to help when the company first won the contract.

JOHNSON: They were doing an awful lot actually to soften the environment. They were putting up pretty curtains in the bedrooms, which doesn't sound a lot, but they were attempting to make it a more humane, a more homely environment if possible. They were opening a lot of doors that previously had been locked. I have to say that every time I visited I was, on the one hand, incredibly impressed by the people working there, by their commitment to attempting to do the right thing in the right way. But I was also struck by how incredibly difficult it was to deliver in that sort of environment, to attempt to maintain a quality of service full of respect for highly vulnerable individuals effectively locked up and incarcerated like that.

COX: So they are doing the right thing to the physical environment, but what about in the treatment of detainees? This woman, who we are calling Sarah, has just been released from Yarl's Wood after ten months in detention. She is partially paralysed and in a wheelchair and says staff struggled to cope with her needs. She doesn't want us to use her voice as she is worried it could affect her immigration case, so we are using an actor instead.

SARAH: I have had times when I have been taken upstairs to eat and they have forgotten I was upstairs and everyone ate and left and I was still there all by myself, and I have had an accident because of my incontinence and I just sat there in my poo and pee. They had a rule that says to go down in the lift you need two men to go with you, so if there was one officer in the dining, I would have to wait, and that can be thirty minutes of waiting in a poo.

COX: And would you try and complain about this?

SARAH: Several times I wrote letters of complaint. They would look into it, they would come to meetings with me, tell me they had resolved it. We are going to do it this way, we are going to do it that way. And then you go upstairs and it happens again. It was never permanently fixed.

COX: Although this was clearly humiliating, what concerned her more was another incident early on in her detention.

SARAH: Because I only have one hand, whatever I take with me has to have a lid so it does not spill. And then this officer tells me, 'You have to have a cup.' I can't have a cup because it will spill. It becomes an argument. It got to the point where they said, 'Okay, you can take the milk with you in a bowl.' And I now have to take the milk – piping hot milk. And the officer who is angry with me refused to help me. So I had to take the bowl of milk, put it in my lap, and when we get in the lift the milk bowl turns upside down. And I get burned and I am not able to jump out of the chair and I am screaming for dear life. Burning. I get taken to the healthcare, they take all my clothing off and there is no cream for burns. And now they take me back to my room, no clothes, I'm all covered up in blankets to wait while they run out and go and get something for burns. I had to wait three hours.

COX: We put these claims to Serco. They told us they investigated the burns incident, but claims Sarah made about the behaviour of staff weren't substantiated. The company didn't want to be interviewed for this programme, but in a statement told us:

READER IN STUDIO: We take all complaints very seriously. They are always investigated and if substantiated, disciplinary action taken. We reject the allegation that the Centre is not accessible and that our staff are not equipped to deal with detainees with disabilities. We feel that such general allegations are unfair to our hard-working and dedicated staff. The wellbeing of those in our care is our top priority and all residents are assessed by healthcare professionals on arrival at the Centre, so we can support and manage their individual health needs.

COX: Disabled women make up a tiny proportion of those held at Yarl's Wood. So what's the situation like for women with more general health concerns? Current and former detainees we spoke to said there was a culture of disbelief towards women with health problems. Serco reject this allegation. But the latest report from the Chief Inspector of Prisons in 2013 said it had received "consistent reports of dismissive or rude behaviour by some health services staff". Many of the women using healthcare services don't have physical illnesses, but mental health problems. Naomi Hartree is a doctor in Bedford who regularly assesses women with psychological issues at Yarl's Wood for the campaign group, Medical Justice.

HARTREE: We see so many women whose health, as far as we can make out, has deteriorated drastically since they've been detained, so we see a lot of women who, from what we can tell, from what they say, from the records available, they were – at least to some extent – they were coping while they were living in the community and then, when they are detained, their health goes downhill, sometimes very quickly, sometimes over a long period of time, if they're detained for very, very long periods. I think their needs are not met. A lot of the time we find that women have very severe depression or very severe Post Traumatic Stress Disorder that's not been addressed, and sometimes that's because there hasn't been much communication, sometimes it's because the women are too frightened or not trusting enough to talk about what's been going on. And sometimes we get the impression that they have tried to communicate, but they haven't really been listened to in a way that helped them open up.

COX: When they do open up and talk, she says they face a new hurdle – getting staff to believe they need specialist psychiatric help.

HARTREE: Often it's not recognised that people actually have such severe depression or Post Traumatic Stress and it's almost as if these things are either swept under the carpet a bit or put down to a kind of situational reaction, so the impression that you sometimes get from reading the medical notes is that, okay, well we know that somebody's distressed because they don't want to go back to their country, so that's why they're upset. But not taking into account that somebody's more than upset, you know, they're actually psychotic, they're, you know, hearing voices telling them to kill themselves or hearing voices of their persecutors or, you know, actually planning suicide. Quite often they're recorded in the notes, so women will be recorded as, for example, hearing voices, but they won't then be treated as if they've got a psychotic depression, for example. So the symptoms will often be recorded, but then somehow not actually dealt with.

COX: Her observations are supported by a paper by the Royal College of Psychiatrists, who say the majority of people held in detention centres are likely to see a significant deterioration of mental health, and that there are repeated examples where mental disorder hasn't been satisfactorily or adequately managed in detention centres. These are serious claims from health professionals. So what does Serco make of this?

READER IN STUDIO: Every resident entering Yarl's Wood receives a healthcare screening, which includes a mental health assessment. The most recent Chief Inspector of Prisons report, issued in October 2013, judged there to be "good primary mental health provision" in place, while the Care Quality Commission also reported that residents were "positive" about the healthcare service they receive.

ACTUALITY IN CAR

COX: So is this your daily journey?

FINN: I get up quite early, go through the Bedford countryside. It'd take me about half an hour to get to Yarl's Wood.

COX: Noel Finn doesn't make this journey any more – he resigned from his job as a mental health nurse at Yarl's Wood in 2013, after repeatedly raising concerns about the systems in place to protect vulnerable detainees. When he started work at the centre in 2012, he noticed many of the women were taking anti-depressants and he felt their

COX: What did that incident tell you about the system and the way things were working within Yarl's Wood?

FINN: Particularly around mental health, safeguarding and risk, it told me there were serious issues, there's serious issues, there's serious gaps and we need to close them gaps very quickly.

COX: Serco told us there was an internal investigation into this case and a staff member was dismissed.

READER IN STUDIO: Unfortunately there was an incident of self-harm in June 2012, where a resident injured herself with hot water. The incident was thoroughly investigated and a member of staff, who did not fully follow the correct procedure in obtaining treatment for that resident in good time, was consequently dismissed following disciplinary proceedings. As you would expect, we reviewed our guidelines following this incident and issued staff with updated advice.

COX: Noel Finn felt this case was indicative though of a wider problem of properly identifying women with mental health problems and that during his time at Yarl's Wood this wasn't adequately addressed, which is why he has decided to speak out.

FINN: My mind-set is the duty of care that I have for these individuals, and that's the reason why I'm talking to you today. I still have a duty of care to these individuals. I don't think its fit for purpose, the nature of the individuals who go there, I don't think it's appropriate for them. I've tried to raise it, I exhausted ... and believe me, I exhausted every avenue with Serco and I'm still in the dark. This is the first time I have actually come out in the open, talking to yourselves. I have raised this over and over and over and over again through the proper systems.

COX: Serco say they take on board any concerns raised and have clear policies and procedures in place to enable staff to deal with incidents of self-harm. But this isn't the only criticism of the conditions inside Yarl's Wood.

ACTUALITY OF CHOIR REHEARSAL

WOMAN: One, two, three

ACTUALITY OF SINGING

COX: In a basement in Manchester, a choir of refugee women gather to practice. Some have been detained in Yarl's Wood. Aderonke says when she was there in 2012, she encountered a culture where sexual favours were traded between guards and some detainees.

ADERONKE: There is this little gang of women who flaunt it around. The way that they talk, that they walk around – yeah, we are more important than you. I am friendly with these guards, whatever I want I can get it, and this guard is on my side.

COX: And they weren't afraid to show it by touching each other in public.

ADERONKE: You could see it happening, you would see them flirting with one another. I have seen them slap them from behind, that explicit way of expressing their feelings. They might just be walking and they're talking and at a point they just hit each other. The women, they just giggle. I didn't see anybody having any sexual intercourse with anybody, but I knew it was happening because of the environment, the culture. I have seen the way that they talk, most of these women look up to these guards as their savior – oh yeah, I can help you to get out of here. All you just need to do is to sleep with me. And you could see all these women running after them. It was open. All you just need to do is spend one or two minutes with them and listen to their conversation, you would know something has happened.

CELIA: There was this friendly officer always used to come and talk to me and all that.

COX: This woman, who we are calling Celia, was held twice at Yarl's Wood in 2008 and 2009. She remembers when she was approached by a guard.

CELIA: But this time he make advances on me and I was like, 'What are you doing?' and he was like, 'You know I like you,' and all that, you know, making a pass at me. I'm like, 'So you can't see that I am pregnant?' then he was like, 'But you are not with your boyfriend, because if you were, you would not be here.' And to be honest, yes, I had talked to him about my relationship, because I kind of had that confident on him that he is showing up to be a friend. So now that he knew a little bit about my private life, he used that. I had to push him because he touched me. I told him, 'If you don't get out I'm going to scream,' so definitely that's not what he wants, so he just left my room, but I did not report him.

COX: Why not, why didn't you bring it up?

CELIA: Because I did not think I would be believed, because first of all I did not even allow him, let alone of those ones who have been caught in action and all they say is there was not enough evidence, because sometimes it can be twisted around, that maybe I am the one that is flirting with an officer, so I did not want to have that kind of stigma on me, so I kept it to myself.

COX: Do you think you can consent to that kind of relationship as a woman when you're in there? Is there such a thing as consent?

CELIA: Hell no, no. They promise these vulnerable women that if you open your legs, for me you are going to get your stay, it'll put an influence on your immigration or I will marry you or something, you know. And some women, you know, because they have nobody to turn to, this is the only friendly face that they come across.

COX: Serco reject any suggestion that there is an endemic culture of sexual exploitation and have taken action to try and combat inappropriate behaviour. Seven staff have been dismissed. But solicitor Harriet Wistrich wants to test in the courts whether detainees can consent to sexual relations. She is representing a woman who had sex with two guards who were sacked in 2013.

WISTRICH: My client instructed me to make a formal police complaint, because I think those are criminal acts, even though some of the activity was supposedly consensual. I don't believe that consent can take place in a detention context. I have asked police to look into an offence called misconduct in public office, which basically

WISTRICH cont: means that if somebody breaks rules in, you know, gross professional misconduct nature and causes harm to somebody, that that may amount to a criminal offence. And certainly I'm aware of cases where prison officers have been convicted or police officers have been convicted of misconduct in public office for similar type events, so I can't see why they couldn't be prosecuted in relation to that.

COX: Bedfordshire Police have told File on 4 they have asked the Crown Prosecution Service for advice on this case and whether a sexual offence was committed. During his time at Yarl's Wood, whistle-blower mental health nurse Noel Finn witnessed this culture of inappropriate contact between some guards and female detainees.

FINN: Over a bit of time I realised there was a lot of toxic stuff going on. There was a lot of playful acts going on between officers and residents, and these playful acts could be misinterpreted in regards to seeking certain favours, like getting certain things done quicker in regards to the toiletries and so forth, and the ladies would dress in a certain way, vulnerability would be misinterpreted by some officers. The body language was pretty close, I mean, if you're with somebody you're always very conscious of your body language. General rule of thumb is keep an arm's reach away really. The body language was a bit too close. There was a certain element, on reflection, that I look back, there's a sense of culture that I think, to be quite honest, that needs investigation, in relation to opening this up, because I do think there's an underlying issue going on here.

COX: But this isn't just about inappropriate relationships that have taken place inside the centre. Noel Finn recalls how, in August 2012, a senior manager told him that one of his patients had been sexually assaulted by a member of staff.

FINN: And he went into the graphic detail, it was very personal, it was invasive and ... I'm a psychiatric nurse, I've heard and seen many things, but in the way it was delivered to me I was shocked, and I made it very, very clear that the safeguarding team need to be involved from Bedford about this particular incident. He assured me that that would happen.

COX: So you thought it was definitely a safeguarding issue, that here's a woman, she has got mental health issues, a sexual act has taken place, this is someone who needs to be protected and it needs to be investigated?

FINN: Yes. Yes, I mean, whether she consented or not, that's not the issue. The issue is here, she is under the protection of the state and that in itself has a duty of care for an individual. This is a vulnerable individual that should be in a place of protection. The person who engaged with her should have had the common sense to not engage in that sexual act. The fact that I was looking after her under mental health pathway suggests her even more vulnerable. They had a duty not to engage in that way.

COX: According to Serco, the allegation was fully investigated and the police and Home Office were informed. None of these bodies found any evidence of inappropriate behaviour by an employee. But this wasn't the first time that Serco staff had faced such claims.

SANA: He said, 'You know, I like you so much, I like your eyes, I like your lips, I want to sex with you.'

COX: In Manchester, I meet Sana, which isn't her real name. During her few months in Yarl's Wood in 2011 she claims to have been sexually assaulted by a member of staff.

SANA: He said, 'I want to see your private parts.' I said, 'No, I'm not going to show you, why I'm going to show you?' He touched my private parts. I said, 'Please leave me alone, I'm not feeling okay, you can go.' He didn't go.

COX: So what do you think when he does this to you, when he exposes himself?

SANA: I was really shocked, I was really scared – what's going on with me? What he's doing?

COX: Did it happen again or was it just this one time?

SANA: No, I had happen three times.

COX: The case was investigated internally and by Bedfordshire Police, but Serco say the claims couldn't be substantiated. So was she lying?

SANA: End of the day, they said no, I'm making story, this is bluff. I can't understand. If they didn't believe me, why did they give me compensation? What is the point? Why they give me money, for what reason? I don't know. I was only telling them because, you know, Yarl's Wood is not a safe place for women.

COX: Serco's internal inquiry into Sana's case was made public last month after a legal fight by the Observer newspaper. It revealed how investigators thought she was making it up to help her immigration case and to prevent her being sent back to Pakistan. A female guard who had believed the claims was given guidance on her objectivity and the company thought Sana's lawyer and a volunteer befriender had advised her to make the allegations. The Chairman of the Commons Home Affairs Select Committee, Keith Vaz, said these findings were so significant that he called senior Serco directors to give evidence to the Committee.

VAZ: We are extremely concerned that an internal review by Serco was not brought to the attention of Parliament and their paymasters, the Home Office, and that review contains very serious concerns about the way in which allegations of abuse have been dealt with by a company that is in receipt of millions and millions of pounds of taxpayers' money.

COX: Of course, Serco will point out that these are allegations, and when they have investigated them, they have been unfounded and not proven to have taken place.

VAZ: Well, it's right, they are allegations and they are allegations that need investigating. I would say not necessarily by Serco. But as I was told by Christopher Hyman, the Chief Executive of Serco, they have had fifteen cases of complaints against Serco since they started managing the Centre, and seven staff have been dismissed in six years. The fact that staff have been dismissed to me seems very, very clear – that they have been dismissed for wrongdoing. And if the allegations had not been sustained, then they wouldn't have been dismissed.

COX: And are you clear, as a committee, about the numbers of allegations of sexual assaults and sexual encounters, if we can put it like that, that have happened at Yarl's Wood?

VAZ: No, we are not. We are worried about the numbers we have seen so far, but the difficulty is the anecdotal evidence and the anonymous emails that we have received lead us to believe that this may be the tip of the iceberg, and that is why it is essential that the Chief Executive is able to give us a view about how these matters operate.

COX: The Chief Inspector of Prisons tried to find out. A team interviewed fifty detainees at random but found no evidence of a wider culture of victimisation or systematic abuse. Former Serco director, Richard Johnson, says the fact that the centre is having to deal with allegations of sexual relations and assault from vulnerable women on a regular basis shows how difficult a place it is to manage.

JOHNSON: It's a tinderbox of an environment. We put people in there for an indeterminate amount of time, those people not knowing whether they'll be returned to dangerous situations from which they came or be released back into the society from which they were plucked. These are effectively services that we deliver in the shadows. We choose to outsource them in order to save money, but we apply insufficient scrutiny then both to the contractor on what they are delivering for the money that we give them and to the service overall, recognising what it is that we are choosing to do as a society when we procure this stuff.

COX: So do we need to bring them out of the shadows?

JOHNSON: Absolutely. The only way to assure ourselves of minimal risk to the individuals concerned, the only way to assure ourselves that when we take the decision to deliver this stuff we know what it is that we're doing, the public is aware of what it is that we're doing, is to pull them from the shadows with scrutiny and absolutely transparency.

COX: Yarl's Wood is already subject to scrutiny from the Chief Inspector of Prisons, the Independent Monitoring Board and the Care Quality Commission. The Chief Inspector of Prisons has praised the consistent and ongoing

COX cont: improvements at the Centre. But some trenchant critics of Yarl's Wood are proposing drastic changes.

FULLER: Ultimately I would like to see Yarl's Wood closed. When I look at the current approach, I would have to assess it as being ineffective, costly and unjust.

COX: This isn't who you might think - a campaigner or a lawyer - but a voice from the Tory backbenches, Richard Fuller, the MP for Bedford.

FULLER: It's true, right now all the focus is on immigration numbers, making sure we get that sorted out, and the Government is doing a very good job on that. But we want to also make sure that when our attention turns to how did we implement that policy, that people can see that we weren't detaining people indefinitely without telling them when they are going to be free. We have got some work to do on that. That we weren't detaining pregnant women unless it is absolutely essential. The idea of detaining a pregnant woman, I just think for many British people just wouldn't fit with what they think is the right thing to do when it is for someone who may have been seeking asylum in this country. I think we have got work to do on that. So yes, I'd like to see Yarl's Wood closed. I'd like to see it closed because we're no longer detaining vulnerable people and closed because we've found more effective ways for managing people in the community.

COX: What the Government would say is the reason we are holding them is because we think they'll abscond if we let them out in the community.

FULLER: I don't think there's much evidence for that. Clearly, there are some people who are detained who have committed criminal offences. We're not talking about those people, we're talking about the people who have come here, made an asylum claim, not been able to prove it. I don't think there's much evidence that those people are going to abscond and hide. Remember, half of them come out anyway - I mean, more than 50%, I think even more than 60% of the people who are detained for immigration purposes are released back into the community anyway. I think we shouldn't be scared of looking at alternatives.

COX: But while he's critical of the Centre, Keith Vaz, Chairman of the Home Affairs Select Committee, believes closing down Yarl's Wood is a step too far.

VAZ: Unless there is a better method of doing it, I am afraid detention is the way in which it should be done at the moment. Of course it's possible to look at alternatives, but women in detention should be treated the same way as men in detention and anyone in detention anywhere else - with respect for the rule of law, but also being treated properly and fairly and not abused, and I think it is important that we ensure that that happens.

COX: The Home Office agree, saying detention and removal are essential elements of an effective immigration system. Some of the criticisms about Yarl's Wood are out of Serco's control and are more about the Home Office's policy of locking up women there in the first place. Keith Vaz says there are questions for the Government over the way it awards these huge public sector contracts.

VAZ: The problem is this: Government has been so eager to cut costs that they have given it out to the private sector without thinking carefully about what this involves. So we need to make sure if they have broken the rules - which clearly Serco has in terms of the criminal justice system and the overcharging for tagging - then they should not be given further contracts.

COX: The contract for running Yarl's Wood is up for renewal very soon. Should Serco be allowed to continue running it?

VAZ: They are very lucky that members of the Home Affairs Select Committee are not sitting on the board that considers whether they should get a contract again, because by our own judgement they would not get it, because we think companies like this need to be put on an at-risk register and should not be given contracts until everyone is satisfied that it is money well spent and that people are being treated well. This is not the case at the moment. It's for them now to convince us that we're wrong and they're right.

COX: The Independent Monitoring Board and Chief Inspector of Prisons both acknowledge that Yarl's Wood has improved in recent years and women feel safer there. But with the contract to run Yarl's Wood up for tender, other major companies

COX cont: could bid to take over the management of the Centre and that will mean further scrutiny of Serco's record.

SIGNATURE TUNE