

G4S faces prosecution over smoking at immigration detention centre

Crawley council brings case for alleged health and safety breaches at Brook House



Brook House immigration removal centre. Photograph: Gareth Fuller/PA

Diane Taylor

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The security company G4S is facing prosecution for allegedly failing to implement a smoking ban at an immigration removal centre, in the first case of its kind.

Crawley council is bringing the highly unusual prosecution, and a court summons ordering G4S to appear at Crawley magistrates court next month has been issued.

The council is bringing the case against both G4S Plc and G4S Care and Justice Services (UK) Ltd for alleged breaches of health and safety legislation on various dates last year at Brook House immigration removal centre near Gatwick airport. The first hearing will take place on 6 March.

Brook House attracted negative media attention in 2017 when undercover filming by the BBC for its Panorama programme exposed alleged abuse of detainees by G4S guards.

On 1 February last year the high court ruled that allowing smoking in “enclosed or substantially enclosed areas” was unlawful.

The manager at Brook House gave an undertaking to ban indoor smoking by 1 April last year. However, Crawley council is claiming that it is continuing.

Outdoor courtyard areas are designated for smokers with wall-mounted lighters. Tobacco continues to be sold in detention centre shops but matches and lighters are no longer available.

To circumvent the ban the Guardian has learned that detainees are using various creative but highly dangerous methods of lighting cigarettes indoors - dismantling kettle plugs and using live wires, placing pins dipped in shower gel in plug sockets to get a spark or placing foil in microwaves and using the flame when it caught fire to light a cigarette.

An independent investigation into conditions at Brook House immigration removal centre was published last December. It found that although smoking inside the centre was supposed to have been banned in April 2018 it continued openly.

One senior manager quoted in the report said: “There are people smoking cigarettes, people smoking [synthetic psychoactive drug] Spice in front of your face and we are not doing anything about it.”

Lewis Kett, a solicitor at Duncan Lewis who brought the high court case that resulted in the smoking ban, said: “It’s now been over a year since the high court ruled that the Home Office were knowingly evading the law by permitting smoking in detention centres. Despite this we have clients who have continued to complain that G4S has not cracked down on this. This is a serious public health issue and we welcome the news that this prosecution will proceed.”

G4S said it could not comment as legal proceedings were ongoing.

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