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**Communications messages: Government response to the Shaw reports**

September 2022

Sir Stephen Shaw conducted two reviews of the welfare in detention of vulnerable persons in 2016 and 2018. We are interested particularly in two elements of the Government’s response to this review: **the Detention Gatekeeper (DGK)** and **Case Progression Panels (CPP)**.

**1. Detention Gatekeeper**

In September 2016, the Home Office created the Detention Gatekeeper (DGK) function, in their own words, to:

* *decide whether to authorise detention based on Immigration Enforcement strategic priorities; ensure the correct paperwork had been served on detained persons; and ensure that detention was lawful.*

We supported this development, but had some concerns about this role:

* lack of real independence from the Home Office
* no ability to speak directly with the individual concerned in each case
* lack of access to professional medical advice
* lack of access to advice from NGOs
* multiplicity of referral forms

To make this role effective, we think that the Gatekeeper should have:

* greater operational independence from the Home Office
* direct access to the individual person involved in each case
* access to independent medical advice
* access to advice from NGOs working with the individual
* one common referral form
* and that there should be greater transparency over decision making

**2. Case Progression Panels**

According to the **Immigration Minister**, the panels were introduced “*to provide an internally independent review of the suitability for continued detention and the progression of case actions*”.

Again, we supported this development but had some concerns about these panels:

* Lack of independence
* Decisions are routinely over-ruled
* Poor monitoring processes

To make these panels effective, we think that they should have:

* greater independent involvement in the CPPs and transparency in the nature of their recruitment
* more transparency to explain why decisions are over-ruled by the Home Office
* improved monitoring of the process with regular reports of the work from the CPPs

ENDS