

Report on an unannounced inspection of  
the short-term holding facility at:

## **Liverpool Capital Building**

2 May 2012

by HM Chief Inspector of Prisons

Crown copyright 2012

Printed and published by:  
Her Majesty's Inspectorate of Prisons  
1st Floor, Ashley House  
Monck Street  
London SW1P 2BQ  
England

# Contents

Overview	4
The healthy custodial establishment	5
1: Escorts, vans and transfers	7
Arrival and accommodation	7
Positive relationships	8
Legal rights	8
Casework	9
Duty of care	9
Childcare and child protection	10
Diversity	11
Activities	11
Facility rules	11
Complaints	12
Services	12
Preparation for release	13
2: Summary of recommendations	14
Appendix I	16

# Overview

Capital Building is the UK Border Agency's (UKBA's) reporting centre in Liverpool where foreign nationals subject to reporting restrictions attend regularly. It opened in July 2011 and also houses the public enquiries office, the further submissions unit, case working and enforcement teams. Within the building is the short-term holding facility (STHF), where those being removed are held before transfer to an immigration removal centre (IRC) or Pennine House residential STHF at Manchester Airport. Most detainees are held after reporting at the centre, with a small number being picked up by enforcement teams.

The security firm Reliance ran the facility on behalf of UKBA. It was open three days a week from 9am until 4pm. If required, the facility could be used outside these times but would be staffed by enforcement officers. A male and a female detainee custody officer (DCO) staffed the facility. The facility comprised two holding rooms, separated by a DCO office.

No detainees were held during the inspection but 50 had been held in the previous three months. The average length of detention was just under four and a half hours. UKBA did not hold children at the facility. Poor planning by UKBA meant that two families, including adult children, had been held in the facility for many hours at the same time. One family had been held for nine hours, the longest detention in the previous three months. The basic needs of the small numbers of detainees were adequately met, but there was not enough to do for those held for longer periods.

## **Liverpool Capital Building**

Inspected: 2 May 2012

Last inspected: Not previously inspected.

## **Inspectors**

Colin Carroll

Angela Johnson

# The healthy custodial establishment

- HE.1 Her Majesty's Inspectorate of Prisons is an independent, statutory organisation which reports on the treatment and conditions of those detained in prisons, young offender institutions, immigration detention facilities and police custody.
- HE.2 All inspections carried out by HM Inspectorate of Prisons contribute to the UK's response to its international obligations under the Optional Protocol to the UN Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT). OPCAT requires that all places of detention are visited regularly by independent bodies – known as the National Preventive Mechanism (NPM) – which monitor the treatment of and conditions for detainees. HM Inspectorate of Prisons is one of several bodies making up the NPM in the UK.
- HE.3 The concept of a healthy prison was introduced in this inspectorate's thematic review *Suicide is Everyone's Concern* (1999). The healthy prison criteria have been modified to fit the inspection of short-term holding facilities, both residential and non-residential. The criteria for short-term holding facilities are:
- Safety** – detainees are held in safety and with due regard to the insecurity of their position
- Respect** – detainees are treated with respect for their human dignity and the circumstances of their detention
- Activities** – detainees are able to be occupied while they are in detention
- Preparation for release** – detainees are able to keep in contact with the outside world and are prepared for their release, transfer or removal.
- HE.4 Inspectors kept fully in mind that although these were custodial facilities, detainees were not held because they had been charged with a criminal offence and had not been detained through normal judicial processes.

## Safety

---

- HE.5 Escort vans were well equipped but lacked sufficient luggage space. The van we inspected was dirty. Person escort records were used to record detainees' details when being transferred.
- HE.6 Detainees could adequately exercise their legal rights. Fifty detainees had been held in the three months before the inspection. The average length of detention was four hours and 26 minutes. Poor planning meant that two families had been held longer than necessary, one family for nine hours and the other for six and three-quarter hours. We were told that detainees were only held with the correct authorisation (IS91). They were given written reasons for their detention in English only but interpretation was used to explain them.
- HE.7 Unrelated males and females could be held separately. Staff were alert to bullying and intimidation, and could easily view the two holding rooms through large windows.

Detainee custody officers (DCOs) carried anti-ligature knives. Suicide and self-harm warning forms were available and accompanied detainees to the next place of detention. No incident reports had been completed in the three months before the inspection, despite records indicating that a detainee had been transferred to hospital. The holding rooms were equipped to hold children but UK Border Agency staff told us that they no longer held children at the facility. Force had not been used in the three months before the inspection. Health care professionals were not routinely called after the use of control and restraint techniques.

## Respect

---

- HE.8 Detainees were offered a free telephone call on arrival, either on the office telephone or the payphones in the holding rooms, although the latter were not hooded for privacy.
- HE.9 The holding rooms were clean and in a good state of repair. Toilets in the larger holding room lacked seats. The smaller room had a toilet for those with disabilities. We were unable to observe how staff treated detainees but they demonstrated an understanding of their needs. DCOs did not wear name badges.
- HE.10 Staff had received diversity training. Disability care plans were used. Detainees could practise their religion.
- HE.11 Complaint forms were readily available in English and 15 other languages. Notices promoting the Independent Monitoring Board were displayed but did not provide contact details. A confidential telephone service was available whereby detainees could report concerns about their treatment to a third-party organisation but the purpose of this service was not made clear.
- HE.12 Snacks, sandwiches and microwavable meals were available. Hygiene packs, sanitary products, pillows and blankets were also available.

## Activities

---

- HE.13 Most detainees were held for short periods but for those held for longer periods there was not enough to do. The facility lacked natural light and detainees could not go outside. There was no television and little reading material in languages other than English.

## Preparation for release

---

- HE.14 Sixty per cent of detainees held at the facility were subsequently transferred to Pennine House residential short-term holding facility, with nearly all the others going to immigration removal centres. Detainees were routinely handcuffed without an individualised written risk assessment when leaving the facility. There was no mobile telephone signal within the facility.

# Section 1

## Escort vans and transfers

---

*Expected outcomes:*

*Detainees under escort are treated courteously, provided with refreshment and comfort breaks, and transported safely*

- 1.1 Escorts were provided by the security firm Reliance. We were unable to interview detainees about escort journeys as none were held during the inspection. The short journey from vehicles to the facility did not entail passing through public areas. The van we inspected was well equipped, with welfare and first-aid boxes, a refrigerator for sandwiches and water, in-vehicle recording equipment and an anti-ligature knife in the driver's area. There was insufficient luggage space and the inside of the van was dirty. Person escort records (PERs) were used for all transfers to and from the facility. A newsletter was distributed to Reliance staff, reminding them of the importance of completing PERs accurately.

## Recommendation

---

- 1.2 Escort vehicles should be kept clean.

## Arrival and accommodation

---

*Expected outcomes:*

*Detainees taken into custody are treated with respect, have the correct documentation, and are held in safe and decent conditions. Family accommodation is suitable.*

- 1.3 The facility operated three days a week, on Monday to Wednesday in one week, and Wednesday to Friday in the next. It could be opened on other days on demand by the UK Border Agency (UKBA). A team of two detainee custody officers (DCOs), one male and one female, staffed the facility from 9am until 4pm. If someone was detained outside of these hours, UKBA enforcement officers staffed the facility.
- 1.4 Detainees were given a rub-down search on arrival. Property was tagged in front of detainees and bags were left in the DCO office. Detainees without their own money were offered a free telephone call, either on the office telephone or the payphones in the holding rooms. The telephones received incoming calls but were not hooded for privacy. Staff said that they would facilitate more than one free call if necessary.
- 1.5 The facility consisted of two holding rooms, separated by the DCO office. They were clean and in good repair, and the smaller one was used as a family room. It was equipped with a toilet for those with disabilities. The room was minimally furnished with a table and four chairs, all of which were fixed to the floor. This was replicated in the larger holding room, with the addition of four rows of fixed seating which gave an additional 16 seats. There were some pillows on the seats and blankets were available. Staff said that detainees tended to lie across a row of seats to sleep during the day (see photographs, Appendix I). Separate toilets for men and women were not labelled as such. The women's toilet contained sanitary items and a disposal bin. Toilet doors were lockable but staff were able to unlock them from the outside if they became concerned for a detainee's safety. All the toilets were clean but lacked seats. Both rooms had water fountains.

- 1.6 If a detainee was ill, staff would call emergency services and both DCOs were first-aid trained. Detainees were only allowed to take medication that was in its original packaging, with their name on it.
- 1.7 Copies of a generic information leaflet were available in the holding rooms, with the information translated into 15 languages. Reliance's diversity and anti-bullying policy statements were displayed and translated into other languages.

## Housekeeping points

---

- 1.8 Telephones should be hooded for privacy.
- 1.9 Toilets should have seats.
- 1.10 The toilets should be labelled as being for males or females.

## Positive relationships

---

*Expected outcomes:*

*Those detained are treated respectfully by all staff, who have proper regard for the uncertainty of their situation and their personal circumstances.*

- 1.11 As no detainees were being held in the facility at the time of the inspection, we could not observe any interactions between DCOs and detainees. The DCOs we spoke to demonstrated some understanding of detainees' needs. They said that they introduced themselves to detainees on arrival but they did not wear name badges.

## Recommendation

---

- 1.12 Staff should wear badges with their names clearly legible.

## Legal rights

---

*Expected outcomes:*

*Detainees are able to obtain expert legal advice and representation from within the facility. They can understand and retain legal documents. They can communicate with legal representatives without difficulty to progress their cases efficiently.*

- 1.13 Notices in English and 10 languages promoted the Community Legal Advice helpline, which signposted detainees to immigration advisers. DCOs told detainees transferring to an immigration removal centre (IRC) that they would be able to access face-to-face legal advice there. Detainees were able to communicate with their legal representatives by using the payphone in the facility. Documents could be faxed from the DCO office to legal representatives. Detainees did not have access to email and could not receive visits from legal representatives, although the impact of these restrictions did not have much of an impact, given the short amount of time that detainees stayed at the facility.

## Casework

---

*Expected outcomes:*

*Detention is carried out on the basis of individual reasons that are clearly communicated.*

*Detention is for the minimum period necessary*

- 1.14 In the three months before the inspection, the facility had been used on 28 days, to hold 50 detainees. The average length of detention had been four hours and 26 minutes. Poor planning had led to two families<sup>1</sup> being held for an excessive period at the same time. The first had arrived at 8.30am and left at 5.30pm. At nine hours, this had been the longest period of detention in the three months before the inspection. The second had arrived at 10.45am and left at 5.30pm. Two other detainees had also been held on the same day. On release, the first family had been split, the men going to Pennine House short-term holding facility (STHF) and the women to Yarl's Wood IRC, which involved a three-hour journey. All members of the second family had gone to Yarl's Wood. Both arrest operations had been planned in advance and it was not clear why transport had not been arranged to take place earlier in the day, to minimise the length of time that detainees were held at the facility.
- 1.15 Staff informed us that immigration officers always had authority to detain (IS91) forms when bringing detainees into the facility, and DCOs confirmed that they would not accept detainees without these. Detainees were given written reasons for their detention (IS91R) in English only but interpreters were used to explain them to those who could not understand English.

## Recommendation

---

- 1.16 The UK Border Agency should promptly transfer detainees to their final destination, especially in prearranged arrest operations involving families.

## Duty of care

---

*Expected outcomes:*

*The centre exercises a duty of care to protect detainees from risk of harm*

## Bullying

---

- 1.17 As there were two holding rooms, men and women could be held separately. Staff were alert to potential intimidatory behaviour and tensions between detainees from different backgrounds. DCOs held detainees in separate holding rooms if they thought there was a problem. Staff could view the two holding rooms through large windows. Closed-circuit television covered all areas of the holding rooms, apart from one blind spot in the smaller holding room. Reliance's anti-bullying policy was available in the DCO office.

## Recommendation

---

- 1.18 Closed-circuit television should cover the blind spot in the smaller holding room.

---

<sup>1</sup> Both families comprised adults and children over the age of 17.

## Suicide and self-harm

---

- 1.19 DCOs carried anti-ligature knives. If DCOs had concerns that a detainee might attempt to self-harm or commit suicide, a 'suicide/self-harm warning' form was completed. The form documented the detainee's details, the nature of the concern, the source of the information, actions to be taken and a record of regular observations, and was similar to that used by Prison Service contractors responsible for escorting prisoners. We did not see a completed form, as these were not kept in the facility. The form would be attached to the detainee's PER and accompany them to an IRC, where an assessment, care in detention and teamwork (ACDT) care planning document could be opened. Following a self-harm incident, we were told that DCOs would apply first aid if necessary, call a paramedic and notify the Reliance head office, the detainee custody manager and Capital Building security staff. Incident reports would be collated and forwarded to the Reliance head office. No incidents had been reported in the three months before the inspection, although logs recorded one detainee being taken to hospital. DCOs received annual first-aid training. They had received suicide and self-harm training from a workplace coach but there was no regular annual refresher training.

## Recommendations

---

- 1.20 Detainee custody officers (DCOs) should complete incident reports for significant events such as detainees being taken to hospital.
- 1.21 DCOs should receive regular annual suicide and self-harm prevention training.

## Childcare and child protection

---

*Expected outcomes:*

*Children are detained only in exceptional circumstances and for the minimum time. Children's rights and needs for care and protection are respected and met in full*

- 1.22 Children were no longer held in the facility. UKBA staff told us that families with children being removed were transferred from enforcement teams to Reliance escorts at the place of arrest. Nevertheless, the facility was prepared for holding children and suitably equipped. Children's colouring books, toys, games and DVDs were available. A baby change facility was available in the smaller of the two holding room, with nappies, nappy bags, wipes and a travel cot. Efforts had been made to soften the 'family' holding room by putting children's posters on the wall but the overall atmosphere remained institutional.
- 1.23 DCOs had been criminal records bureau checked to enhanced level. One of the two officers had undergone five days of physical control in care training (which can be used with children). The DCOs had not been given training in safeguarding and promoting the welfare of children.

## Recommendation

---

- 1.24 DCOs should receive training in safeguarding and promoting the welfare of children.

## Diversity

---

*Expected outcomes:*

*There is understanding of the diverse backgrounds of detainees and different cultural norms. Detainees are not discriminated against on the basis of their race, nationality, gender, religion, disability or sexual orientation, and there is positive promotion and understanding of diversity*

- 1.25 Staff had received diversity training and showed a good understanding of cultural differences. Disability care plans were completed when appropriate. We were unable to assess the quality of these, as none had been completed recently at the facility. Detainees could practise their religion. Copies of the Bible and Qur'an were available, along with a prayer mat and compass. These were kept in the DCO office until required by detainees. If detainees wanted to make a complaint about a diversity issue, they used the general complaints system, which was managed by UKBA.

## Activities

---

*Expected outcomes:*

*The facility encourages activities to preserve and promote the mental and physical well being of detainees.*

- 1.26 There was not enough to do for those held for long periods. Detainees could not go outside, and the facility lacked natural light, although most detainees were not held for long periods. There were no televisions, as there was no signal in the facility. UKBA had asked the landlord to fit a television aerial cable into the facility but to no avail. A portable DVD player and DVDs were available but it was unclear if these were used. Reading material was available but nearly all of this was in English, with few books or magazines in other languages.

## Recommendation

---

- 1.27 Reading material in foreign languages should be available.

## Housekeeping point

---

- 1.28 Detainees should be able to watch television.

## Facility rules

---

*Expected outcomes:*

*Detainees are able to feel secure in a predictable and ordered environment*

- 1.29 An information booklet providing basic facility rules was available in 15 languages. DCOs received an initial week of training and annual refresher training in control and restraint techniques. Use of force had not been reported in the three months before the inspection. We were told that detainees were not routinely seen by health care professionals after being restrained.

## Recommendation

---

- 1.30 Detainees subject to control and restraint techniques should be seen by a health care practitioner as soon as possible after restraint is removed.

## Complaints

---

*Expected outcomes:*

*There is a published complaints procedure; compliant forms are freely available.*

- 1.31 Detainees could make formal complaints confidentially. The UKBA detention services complaint forms were available in English and 15 other languages in both holding rooms. Pens were available, and also locked complaints boxes. Child-friendly complaint forms were also available in English and other languages.
- 1.32 Notices promoting the Independent Monitoring Board (IMB) were displayed in the holding rooms, although the contact details of the board members were not on the notices. These details were available in the DCO office, which meant that detainees had to speak to a DCO in order to contact the IMB, which may have inhibited them from doing so.
- 1.33 An officer from UKBA checked the complaints boxes daily and recorded the number of complaints in a log book. No complaints had been submitted in the three months before the inspection.
- 1.34 Detainees had access to the 'Confide in us' telephone service. This was a confidential telephone number that detainees could call to report issues about their treatment to an organisation contracted by Reliance. Information could then be fed back anonymously to Reliance. While the service was well promoted in the two holding rooms, its purpose was not clear.

## Housekeeping points

---

- 1.35 The contact details of the Independent Monitoring Board should be available in the holding rooms.
- 1.36 The nature of the 'Confide in us' telephone service should be made clear to detainees.

## Services

---

*Expected outcomes:*

*Services available to detainees allow them to live in a decent environment in which their normal everyday needs are met freely and without discrimination.*

- 1.37 Crisps, biscuits and a wide range of microwave meals, including vegetarian and halal meals, were available. Staff collected fresh sandwiches from their main depot each morning as an alternative to the microwave meals and used petty cash to buy food for detainees with specific dietary needs. Detainees could request hot and cold drinks from a vending machine located in the DCO office.
- 1.38 Women's sanitary products were available in the toilets. Toiletry bags containing basic hygiene items, clothing packs and towels were given to detainees who needed them. Staff said that some detainees came with their luggage and were able to have access to their own hygiene items and clothing when they needed it.

## Preparation for release

---

### *Expected outcomes:*

*Detainees are able to maintain contact with family, friends, support groups, legal representatives and advisers, are given adequate notice of their release, transfer or removal, and are able to recover property. Families with children and others with special needs are not detained without items essential to their welfare.*

- 1.39 Detainees could not receive visitors but family and friends could deliver property. Sixty per cent of those leaving the facility were taken to Pennine House residential STHF, a journey of 37 miles. In 34% of cases, detainees were transferred to an IRC. In the three months before the inspection, one detainee had been taken to hospital and in two other cases records were not clear. Detainees leaving the facility were given a small credit-card sized card with the contact details and a map of their next place of detention. Detainees leaving the facility were routinely handcuffed to vehicles.
- 1.40 Detainees were allowed to retain mobile telephones if they did not have an integral camera but the lack of a telephone signal made them redundant (see section on arrival and accommodation).

## Recommendation

---

- 1.41 Detainees should only be handcuffed following an individualised written risk assessment.

## Section 2: Recommendations and good practice

---

Recommendation	To UKBA
----------------	---------

---

### **Casework**

---

- 2.1 The UK Border Agency should promptly transfer detainees to their final destination, especially in prearranged arrest operations involving families. (1.16)

---

Recommendation	To the escort contractor
----------------	--------------------------

---

### **Escorts, vans and transfers**

---

- 2.2 Escort vehicles should be kept clean. (1.2)

---

Recommendations	To the facility contractor
-----------------	----------------------------

---

### **Positive relationships**

---

- 2.3 Staff should wear badges with their names clearly legible. (1.12)

### **Duty of care**

---

- 2.4 Closed-circuit television should cover the blind spot in the smaller holding room. (1.18)
- 2.5 Detainee custody officers (DCOs) should complete incident reports for significant events such as detainees being taken to hospital. (1.20)
- 2.6 DCOs should receive regular annual suicide and self-harm prevention training. (1.21)

### **Childcare and child protection**

---

- 2.7 DCOs should receive training in safeguarding and promoting the welfare of children. (1.24)

### **Activities**

---

- 2.8 Reading material in foreign languages should be available. (1.27)

### **Facility rules**

---

- 2.9 Detainees subject to control and restraint techniques should be seen by a health care practitioner as soon as possible after restraint is removed. (1.30)

### **Preparation for release**

---

- 2.10 Detainees should only be handcuffed following an individualised written risk assessment. (1.41)

### **Housekeeping points**

---

- 2.11 Telephones should be hooded for privacy. (1.8)
- 2.12 Toilets should have seats. (1.9)
- 2.13 The toilets should be labelled as being for males or females. (1.10)

### **Activities**

---

- 2.14 Detainees should be able to watch television. (1.28)

### **Complaints**

---

- 2.15 The contact details of the Independent Monitoring Board should be available in the holding rooms. (1.35)
- 2.16 The nature of the 'Confide in us' telephone service should be made clear to detainees. (1.36)

# Appendix I

