

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

Pennine House

Manchester Airport

4 – 5 October 2011

by HM Chief Inspector of Prisons

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Overview

Manchester Airport is the busiest in the UK outside the London area. Pennine House is a residential short-term holding facility, opened in December 2008 to replace Manchester Detention Centre. The private security firm Reliance manages the facility on behalf of the UK Border Agency (UKBA) and is also contracted to deliver escort operations to and from the centre. The capacity of the facility is 32 beds and entry is land side.

The facility is often used to break journeys, especially between Dungavel immigration removal centre (IRC) in Scotland and centres or departure ports in England. It is also used for short-term accommodation of those initially detained at police stations in the region. A minority of detainees were brought to the facility for removal from Manchester Airport or after arrival by air at the airport (just over 6% in each case). Records for the previous three months showed that 926 detainees had been admitted, 80 of whom were women (8.6%). The longest stay at the facility in the previous three months had been 5 days 14 hours.

The local UKBA team is based at Manchester Airport and visits the facility nearly every day, carrying out systematic checks on the welfare of detainees and the maintenance of safety. An independent monitoring board also provides regular oversight. During the inspection we conducted structured interviews with 12 detainees, all of whom were men who had been at the centre for less than 48 hours. One had been in detention for several months and was in transit from Dungavel IRC, and the rest had been detained for less than five days in total. Two detainees had a partner in the UK and none had children under 18 living in the country. There were no women in the centre during our inspection.

Inspectors

Martin Kettle

Bev Alden

Inspected: 4-5 October 2011

Last inspected: 2-3 March 2010

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 UN Optional Protocol to the 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 Some detainees had experienced a significant number of moves around the estate and had been held for long periods in police cells unsuited to overnight detention. Detainees were handcuffed unnecessarily when passing through airport security. Escort vans were clean and well equipped but lacked luggage space.
- HE.6 IS91 forms (written authority to detain) were not consistently completed, nor were known risks always identified on movement orders. Reception staff conducted a brief risk assessment and on-site health services staff undertook a more comprehensive assessment of risks to self on arrival.
- HE.7 There was a lack of privacy at reception. Professional interpretation was not always used when appropriate and most written information was in English only. Up-to-date legal information was displayed and there was generally good access to legal visits, telephone, fax and email facilities.

- HE.8 There was little evidence of bullying. There were few incidences of self-harm and management of those at risk was good. Staff were trained in assessment, care in detention and teamwork (ACDT) procedures. A visitors group provided support to detainees if they required it. There had been no recorded age dispute cases and all custody staff had undergone child protection training.
- HE.9 Detainee custody officers (DCOs) received annual training in control and restraint techniques, although use of force was rare and there had been no recent incidents. All but one of the detainees we interviewed said that they had never felt unsafe in the centre.

Respect

- HE.10 The residential areas were reasonable but women shared communal areas with men, who were located on the same corridor. Toilet and shower doors could not be secured and bedroom doors could only be locked by staff. Wardrobes in the bedrooms could not be locked.
- HE.11 We observed generally good engagement by most staff with detainees. Detainees had ready access to snacks and the quality of hot food was good, although the range was limited.
- HE.12 DCOs demonstrated an understanding of cultural issues despite a lack of refresher equality training. There was evidence that the needs of women within the largely male population were not always understood. Religious artefacts were available but there was no regular chaplaincy service.
- HE.13 Complaints were handled well. The number of complaints was low, with no identifiable trends. Complaint forms were available in 16 languages. Some detainees had made complaints in their own language but replies were in English.

Activities

- HE.14 Detainees were easily able to access outside areas, and there were areas for smokers and non smokers. A good range of activities and resources was available, including foreign language literature and television channels.

Preparation for release

- HE.15 Detainees received visits and staff usually adopted a helpfully flexible approach to both legal and domestic visitors. However, the room was also used by immigration staff and visitors, and this had led to significant delays and even cancellation of visits. The centre was not signposted and some visitors found it difficult to locate. Detailed information was provided on immigration removal centres to which detainees might be transferred, and all received a discharge health assessment.

Section 1

Escorts, 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 Reliance and detainees generally reported polite and respectful treatment. Detainees who we saw arriving all had an IS91 (written authority to detain) and a completed detainee welfare record showing that refreshments and comfort breaks had been offered at appropriate times. A new fleet of vans had been introduced and those we saw were clean, fitted with CCTV and darkened windows for privacy, but had limited luggage space. Escorts routinely telephoned the centre to indicate arrival times which staff said normally worked well. However, one detainee had made a substantiated complaint in July 2011 saying 'I was awoken at 7am to be told I was leaving for Brook House in one hour. I am still here now. The time is 8pm. I have asked people through the day why I have not been moved, but they could not give me an answer.'
- 1.2 Some detainees had experienced a significant number of moves around the detention estate. One had been moved 10 times in just over two months, including three moves between Dungavel Immigration Removal Centre (IRC) and Pennine House and back to Dungavel. In May 2011 a pregnant female detainee had collapsed in the centre during the course of moves over several days from Northern Ireland via Scotland to Yarl's Wood IRC (see inspection report on Yarl's Wood, 4-8 July 2011). One detainee we interviewed had spent five nights at a police station in Nottingham before moving to Pennine House and then on the same day to an IRC near London.
- 1.3 Detainees were not routinely handcuffed in secure areas, although staff told us that airport regulations required all detainees to be unnecessarily handcuffed when passing through one of the security points (Northgate), irrespective of individual risk. This was not a public area though staff and airline crew passed through regularly at the same time as detainees.

Recommendations

- 1.4 Detainees should be given sufficient notice of transfers to prepare themselves and let others know of their destination.
- 1.5 Detainees should not be subject to excessive movements around the detention estate.
- 1.6 Detainees should not be held for long periods in police cells.
- 1.7 Methods of restraint should only be used if justified by a risk assessment.

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.

- 1.8 Detainees were given a rub-down search on arrival and booked in, which included a brief risk assessment. This was undertaken at the desk in view of staff and visitors, which afforded no privacy. The risk section on IS91 forms was not consistently completed, nor were known risks always identified on movement orders (see section on suicide and self-harm). A member of the 24-hour health care team undertook a detailed assessment of all detainees on arrival, including any risks to self. Detainees were offered a free telephone call on arrival and all property was stored securely. In our interviews, three detainees said that they had had problems when they arrived at Pennine House: one had felt depressed and suicidal, one had been let down by his firm of solicitors, and the third had not been allowed time to bring essential property with him when he was arrested. The latter two said that detention staff had given them help with these issues.
- 1.9 All new arrivals were shown around the centre by a detainee custody officer (DCO). Detainees were shown straight to their rooms and offered refreshments and a shower. Incoming calls could be received via telephones in the corridor and there were two payphones. Detainees could keep their own mobile if it did not have a camera, or use a dummy phone and their own SIM card. Detainees with no money or mobile were able to use the telephone in reception free of charge. In our interviews, all the detainees said that it was easy or very easy to make and receive telephone calls.
- 1.10 Although staff seemed aware of professional telephone interpretation services, we observed that an interpreter was not used with one detainee who clearly did not understand what was being said. Most information on notice boards was in English only.
- 1.11 The main accommodation area had 32 beds in eight rooms, a dining room and an association room. Each detainee had a wardrobe which could not be locked. Women had separate bedrooms but otherwise shared accommodation with men. The shower and toilets could be unlocked from the outside, which presented a potential safety issue, as a male detainee could gain access to the shower room while a female detainee was showering (see also section on bullying). Hourly welfare checks throughout the day and night were undertaken by staff for all detainees and these were recorded.

Recommendations

- 1.12 Detainees should be interviewed in private in reception.
- 1.13 Movement orders should identify known risks and the risk assessment section on the written authority to detain (IS91) should be completed, including when there are no risks.
- 1.14 Professional interpretation services should be used with detainees who do not understand English and key information should be displayed in a range of languages.
- 1.15 All detainees should have lockable cupboards.
- 1.16 Women's accommodation should be separated from men's, with bedrooms, toilets and showers, and an association area inaccessible to male detainees.

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.

- 1.17 We observed generally good interactions between staff and detainees, and in our interviews all detainees said that they were treated with respect by staff. Staff and detainees were mostly on first name terms, making for a relaxed atmosphere. Staff wore name badges, although they were not always clear.

Housekeeping point

- 1.18 Staff should wear legible name badges.

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.

- 1.19 Detainees were able to keep their legal documents with them. Opportunities for legal advice were displayed on notice boards and a Community Legal Advice poster gave information in 11 languages and signposted the website which detainees could access on the two computers available to them. These computers were well used and appreciated by detainees, but there was no facility to print documents.
- 1.20 Three-quarters of detainees whom we interviewed said they had been given the opportunity to telephone their solicitor or legal representative, but none had received a legal visit. Mornings from 9am to 2pm were reserved for legal visits, but when removal directions had been served and there was urgency, staff facilitated legal visits up to 9pm. They also sent faxes on behalf of detainees. Detainees could send emails through most internet service providers. One custody officer had spent considerable time helping a Nigerian detainee to find a local solicitor.

Housekeeping point

- 1.21 Detainees should be able to print documents.

Casework

Expected outcomes:

Detention is carried out on the basis of individual reasons that are clearly communicated. Detention is for the minimum period necessary

- 1.22 All but one of the detainees we interviewed said that they had been told on arrival why they were being detained in a language they could understand and most were able to understand the written documentation. Approximately half said they had been told clearly what would happen next or had been given the information in writing, and five said they had been given written information about the right to appeal against removal or to apply for release on bail.
- 1.23 A UK Border Agency (UKBA) officer visited almost every day to carry out systematic checks on the welfare of detainees and the maintenance of safety in the facility. The UKBA manager who visited during the inspection spoke at length to detainees and told us that they frequently used telephone interpretation for these interviews. They did not discuss immigration cases with detainees, but referred them to their caseworker. Detainees could access the UKBA website, but country of origin information could not be accessed.

Recommendation

- 1.24 Detainees should be able to access country of origin and other public information on the internet which is relevant to their immigration case.

Duty of care

Expected outcomes:

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

Bullying

- 1.25 There was little evidence of bullying and supervision of living areas by staff and via CCTV was good. In our interviews, all but one of the detainees said they had never had any feelings of being unsafe while in the centre. A prominent Reliance notice reinforced intolerance of intimidatory behaviour and an expectation of respect. Staff said that detainees behaving inappropriately would be moved quickly, in all probability to Colnbrook IRC, on the flawed grounds that 'they run on prison rules there'.
- 1.26 There was insufficient privacy or protection for women detainees. They could not lock their doors to keep out male detainees. While they could ask staff to lock them in, this meant using the intercom to ask for the door to be opened, which was not ideal. There was no separate area for them to use during the day, apart from the women's bedroom which contained four beds and a television (see diversity section).

Suicide and self-harm

- 1.27 Reliance and UKBA staff were trained in the use of the ACDT (assessment, care in detention and teamwork) forms. There was a named assessor and case manager for the ACDT system each day, with their names displayed on the office wall.
- 1.28 Only two detainees, a man and a woman, had been on ACDT since the present contract started five months previously. The ACDT for the woman had not been completed clearly. The man had been transferred out on the day he arrived. The most recent incident of self-harm had taken place a year before the inspection. Staff said that there had been occasions when a detainee on an ACDT had arrived without prior notice from the originating establishment (see section on arrival and accommodation).
- 1.29 The rooms had no ligature points and each member of staff carried a ligature knife. Supervision was good. Telephone chargers and earphones were not permitted on the grounds of self-harm risk.
- 1.30 Detainees needing support could contact the Manchester Immigration Detainees Support Team by email and could make an appointment to see a member of the team on their twice-weekly visits. Notices advertising this service were in four languages and the team saw detainees in the visits room.

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

- 1.31 There were no age dispute cases on record and staff were clear that anyone claiming to be under 18 would not be located in the residential area unless UKBA had decided that they were adult following an age assessment.
- 1.32 When an application was made for children to visit detainees, staff made appropriate checks. In a recent case they had appropriately denied entry to two men wishing to bring a small child, whose relationship to the adults could not be ascertained.
- 1.33 All custody staff had recently received a training module in child protection which was now contained in the initial training course for officers. All staff had undergone appropriate security clearances. An area child protection officer was available for reference. No multi-agency public protection arrangements (MAPPAs) cases or detainees with a history of sexual offending were accepted into the centre.

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

- 1.34 Detainees in the facility were from a wide range of nationalities and interacted with each other appropriately, with no evidence of tension between detainees. Most understood spoken English.
- 1.35 Staff received equality training as part of their initial training course but there was no refresher course. They demonstrated a good understanding of different cultures but disability was perceived primarily in terms of mobility issues.
- 1.36 The needs of women in the largely male population were not always recognised. In July 2011 a female detainee had complained that when she asked for the remote control for the television in the women's bedroom, the officer had told her to watch the television in the day room with the men. The same officer had later refused the request of another woman for the television to be turned down so that she could pray. This complaint had been substantiated and action taken.
- 1.37 Copies of the Bible and the Qur'an were available together with prayer mats and a compass. A leaflet setting out dates and times of fasting had been displayed during Ramadan, and staff were familiar with the requirements. The previously regular chaplaincy visits had lapsed on departure of the airport coordinating chaplain. However, we spoke to a newly appointed coordinator who was attempting to revive the service. All the detainees interviewed said that their religious beliefs were respected.

Recommendations

- 1.38 **Staff should receive ongoing equality training.**
- 1.39 **A regular chaplaincy service should be available to detainees.**

Activities

Expected outcomes:

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

- 1.40 Detainees had access to two outside areas, one of which was a smoking area, and we saw staff taking detainees outside several times during the day. There was a large association room with digital television and foreign language channels, foreign language books and newspapers and a small number of games. The two computers were also located in the association room and detainees could book hour-long slots to use them, although booking was rarely necessary.

Facility rules

Expected outcomes:

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

- 1.41 A Reliance information booklet providing basic facility rules was available in 11 languages, and the UKBA detention centre rules were displayed prominently on the wall. All areas apart from the bedrooms were covered by CCTV and monitored in the reception area.
- 1.42 DCOs received an initial week of training and annual refresher training in control and restraint (C&R) techniques. Incident reports for the previous six months showed no recorded use of C&R. One member of staff who had worked at the centre for over four years could only recall one occasion when C&R had been used.
- 1.43 A month before the inspection, cannabis had been found in a bag brought in for a detainee by friends. There was no other evidence of illegal drug use.

Complaints

Expected outcomes:

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

- 1.44 There were complaint boxes in the detainee area and the visits room. Complaint forms were available in 16 languages and the boxes were labelled in 11 languages. We saw complaints submitted in Urdu and Turkish that had been handled properly, although the replies were in English. The number of complaints was low at 16 in the year to date. There were no common themes or trends. At least two had been substantiated and appropriate action taken in consequence. Children's comment forms were prominently displayed in the visits room, although no children were held. Complaint boxes were emptied each day by UKBA officers. Complaints were handled through the central complaints unit, but local UKBA staff quickly passed the substance of a complaint to the contractor's staff if there was a clear local resolution.
- 1.45 The customer services charter was displayed in English and provided useful information. It included details of investigations and timescales for replies and asked complainants to give a forwarding or email address for a written reply. Detainees were assured that 'making a complaint will have no impact on the outcome of your immigration case'.

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.

- 1.46 Crisps, biscuits and fruit were freely available in the dining room with hot and cold drinks. Microwave meals, including vegetarian, halal and kosher meals, were also available. The quality was good though the range was limited mainly to Indian dishes. In our interviews, nine of the 12 detainees said that the food and drink given to them was adequate.
- 1.47 Women's sanitary products were freely available in the toilet. Toiletry bags containing basic hygiene items, clothing packs and towels were issued to detainees who needed them. Extra blankets were available on request.

Housekeeping point

- 1.48 Food provided should be suitable for the needs of the diverse population.

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.

- 1.49 Visits took place from 2 to 9pm each day in a small room off the reception area which could only accommodate one detainee and their visitors at a time. Additional time and opportunities were made available to detainees with imminent flights, and visitors who had travelled a long distance were given longer than the standard 30 minutes whenever possible. Bookings were made on the day of the visit. During the inspection relatives came for a booked visit, but were refused access because an immigration officer was using the visits room for an interview. Two of the detainees we interviewed said that they had received a visit from family or friends and two had been visited by volunteer visitors from the Manchester Immigration Detainee Support Team.
- 1.50 We were told that visitors frequently had difficulty finding Pennine House, despite directions from the information desk in the terminal. There was nothing to indicate its location to those approaching from the terminal.
- 1.51 Detainees had no access to cash directly from a bank account. However, detainees could give bank cards to visitors so that they could obtain cash for them. Clothing was available, but there were no luggage bags for detainees needing them for flights.
- 1.52 Detailed information about each of the IRCs was displayed in the association room.
- 1.53 Since the previous inspection, it had become mandatory for a nurse to see every detainee before departure for an assessment.

Recommendations

- 1.54 During the advertised periods, domestic visits should take priority over any other use of the visits room.
- 1.55 Luggage bags should be made available to detainees being removed.

Housekeeping point

- 1.56 A clear sign or emblem should indicate the location of Pennine House to those approaching from the airport terminal.

Section 2: Recommendations and housekeeping points

Recommendations	To UKBA
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Escorts, vans and transfers

- 2.1 Detainees should not be subject to excessive movements around the detention estate. (1.5)
- 2.2 Detainees should not be held for long periods in police cells. (1.6)

Arrival and accommodation

- 2.3 Movement orders should identify known risks and the risk assessment section on the written authority to detain (IS91) should be completed, including when there are no risks. (1.13)

Recommendations	To the facility contractor
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Escorts, vans and transfers

- 2.4 Detainees should be given sufficient notice of transfers to prepare themselves and let others know of their destination. (1.4)
- 2.5 Methods of restraint should only be used if justified by a risk assessment. (1.7)

Arrival and accommodation

- 2.6 Detainees should be interviewed in private in reception. (1.12)
- 2.7 Professional interpretation services should be used with detainees who do not understand English and key information should be displayed in a range of languages. (1.14)
- 2.8 All detainees should have lockable cupboards. (1.15)
- 2.9 Women's accommodation should be separated from men's, with bedrooms, toilets and showers, and an association area inaccessible to male detainees. (1.16)

Legal rights and casework

- 2.10 Detainees should be able to access country of origin and other public information on the internet which is relevant to their immigration case. (1.24)

Diversity

- 2.11 Staff should receive ongoing equality training. (1.38)
- 2.12 A regular chaplaincy service should be available to detainees. (1.39)

Preparation for release

- 2.13 During the advertised periods, domestic visits should take priority over any other use of the visits room. (1.54)
- 2.14 Luggage bags should be made available to detainees being removed. (1.55)

Housekeeping points

Positive relationships

- 2.15 Staff should wear legible name badges. (1.18)

Legal rights and casework

- 2.16 Detainees should be able to print documents. (1.21)

Services

- 2.17 Food provided should be suitable for the needs of the diverse population. (1.48)

Preparation for release

- 2.18 A clear sign or emblem should indicate the location of Pennine House to those approaching from the airport terminal. (1.56)