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

# Heathrow Airport Terminal 2

by HM Chief Inspector of Prisons

30 September 2014

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# Contents

Fact page	4
Overview	5
About this inspection and report	6
Summary	7
Section 1. Safety	9
Respect	15
Activities	18
Preparation for removal and release	19
Section 2. Recommendations and housekeeping points	20
Section 3. Appendices	22
Appendix I: Inspection team	22
Appendix II: Photographs	23

# Fact page

#### Task of the establishment

To hold individuals and families who are of interest to the UK Border Force.

#### Location

Heathrow Airport Terminal 2 (airside)

Name of contractor Tascor

Number held during inspection 4

Last inspection 2 July 2007

**Escort provider** Tascor

# Overview

Heathrow is the world's busiest airport for international passenger traffic. The short-term holding facility in Terminal 2, refurbished and opened in June 2014, is managed by Tascor (formerly Reliance) on behalf of the UK Border Force. The facility is mainly used to hold passengers who have been denied entry at the border and are awaiting removal, or people detained pending further inquiries.

In the previous three months, 259 detainees had been held in the facility for an average of around three hours; 22 had been held for more than 12 hours, and five were detained for more than 24 hours. Thirty children had been held, of whom four were unaccompanied. The average length of detention for accompanied children was two hours 45 minutes, and four hours 25 minutes for unaccompanied children. The youngest unaccompanied child was seven years old. During our inspection, two single males and two single females were held in the main holding room.

# About this inspection and report

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.

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.

All Inspectorate of Prisons reports carry a summary of the conditions and treatment of detainees, based on the four tests of a healthy prison that were first introduced in this inspectorate's thematic review *Suicide is everyone's concern*, published in 1999. The tests have been modified to fit the inspection of short-term holding facilities, both residential and non-residential. The tests for short-term holding facilities are:

**Safety** – that detainees are held in safety and with due regard to the insecurity of their position

**Respect** – that detainees are treated with respect for their human dignity and the circumstances of their detention

Activities – that the centre encourages activities and provides facilities to preserve and promote the mental and physical well-being of detainees

**Preparation for removal and release** – that detainees are able to maintain contact with family, friends, support groups, legal representatives and advisers, access information about their country of origin and be prepared for their release, transfer or removal. Detainees are able to retain or recover their property.

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.

# Summary

## Safety

- SI We were unable to inspect transfers into or from the holding room by escort vehicle as none took place during the inspection.
- S2 There was not always a female detainee custody officer (DCO) on duty. Detainees were not always provided with mobile phones for use in the holding room. A helpful induction checklist was used by DCOs. The CCTV system was not working. Detainees we spoke to felt physically safe but male and female detainees could not always be held separately. Staff had been on suicide and self-harm prevention training but not all carried anti-ligature knives.
- S3 Thirty children had been held over the previous three months. DCOs had been on safeguarding children training and completed child care plans for all detained children, which were generally good, but were not aware of any safeguarding adults procedures.
- S4 Not all members of the Border Force's specialist safeguarding and trafficking children's team had completed all levels of the Home Office's keeping children safe training. There was not always a member of the team on duty at night time. The team met social services fortnightly to discuss individual cases and exchange information, but social services response times to cases referred to them by Border Force staff were sometimes excessive. Some families with children were transferred to the family unit at Tinsley House immigration removal centre (IRC) rather than being detained for extensive periods in the holding room. There were no child-friendly interview rooms.
- S5 Use of force was rare.
- S6 In the previous three months, 259 detainees had been held in the facility for an average of around three hours. Detainees were given written reasons for their detention but in English only, although Border Force staff used interpreters to explain them. Some detainees did not know what was going to happen to them next. Detainees could not freely use a fax machine or access email, and legal visits were not permitted, which could have impeded communication with legal representatives. Forms authorising detention (IS91) for those held during our inspection were completed correctly. Detention was not always kept to a minimum period, and there were delays in transferring asylum seekers into initial accommodation. Border Force officers were aware of the national referral mechanism for suspected trafficking and had used it to refer potential victims.

# Respect

- S7 The facility was generally clean and in a good state of repair, although the shower caused flooding in the holding room and the water fountain in the family room did not work. The family room was brightly lit, well equipped and in good condition. The television was mounted too high for children to watch comfortably. There were no adequate sleeping facilities for detainees spending long periods there. DCOs had access to a medical triage telephone line and airport emergency services if required.
- S8 DCOs were polite and respectful, and detainees were positive about their treatment. DCO name badges were not easily legible.

- S9 Not all DCOs had taken diversity training. There were no copies of the Qur'an in the holding room. No disability care plans had been opened in the previous three months. A professional telephone interpreting service was not always used for detainees requiring it. There was no hearing loop facility, and no information in Braille.
- S10 Complaint forms were freely available and the complaints box was emptied regularly. Contact details for the Independent Monitoring Board were displayed. Catering arrangements were adequate.

## Activities

SII There was enough to occupy detainees held for a short time but not for detainees held for longer periods. In the previous three months, 22 detainees had been held for more than 12 hours. There was no outside exercise area and the facility lacked natural light or fresh air. The facility was non-smoking but nicotine substitutes were not available for smokers.

## Preparation for removal and release

S12 Visitors were not permitted in the holding room. Detainees could not routinely access email, Skype or social networks. IRC information cards were available for detainees transferring into further detention. A good range of clothing was stored at the holding room for those requiring it.

# Section 1. Safety

### Escort vehicles and transfers

#### **Expected outcomes:**

#### Detainees under escort are treated safely, decently and efficiently.

1.1 We were unable to inspect escort vehicle transfers into or from the holding room as none took place during the inspection. Detainees arriving during the inspection had been stopped by Border Force officers on entering the UK and brought to the facility on foot directly from the terminal.

## Arrival

#### **Expected outcomes:**

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

- 1.2 The holding room was open 24 hours a day, seven days a week, and was staffed by two detainee custody officers (DCOs). A male and a female officer were on duty during our inspection; they told us that a female DCO was on duty for most, but not all shifts. A rub-down search was usually undertaken by an officer of the same sex as the detainee, and in the absence of a female DCO a male officer searched female detainees using a wand. Children were searched using a wand only.
- 1.3 Detainees were not permitted to keep mobile phones with cameras and internet access. Alternative mobile phones were available for detainees to use with their SIM card but these were not routinely provided, and were available only on request – this had happened only twice during September 2014, and none of the detainees we saw in the holding room had one. This restricted their ability to call friends, family or legal representatives as they could only tell them (via a free phonecard) the number of the payphone in the holding room for incoming calls.
- 1.4 DCOs used a helpful induction checklist, which covered key items such as offering food and drinks, explaining the Independent Monitoring Board (IMB), checking translation requirements and asking basic welfare questions. A detention information leaflet was freely available to detainees in 16 languages. Toiletry packs were provided to those who required them.

#### Recommendations

- 1.5 A female detainee custody officer should be present in the holding room whenever a woman is detained there, and for the duration of her detention.
- 1.6 Detainees should be given a mobile phone when in the holding room to contact friends, family and legal representatives.

# Bullying and personal safety

#### **Expected outcomes:**

Detainees feel and are safe from bullying and victimisation.

- 1.7 Staff generally had good views into the two holding rooms through large glass windows, but there was one blind spot: a small area in the main holding room immediately in front of the office. CCTV, which would have been helpful in reviewing incidents such as self-harm or use of force, was not working. The detainees we spoke to felt physically safe but anxious about their immigration situations. Staff said that tensions between detainees were rare, but if there were an incident, they would intervene and challenge the perpetrator.
- **1.8** Women could only be held separately from men if no families were held in the family holding room. During the inspection, two female detainees were held in the main holding room with unrelated male detainees, although the family room was free.

#### Recommendations

- **1.9** DCOs should be able to view blind spots in the holding room through CCTV.
- **1.10** Women detainees should always be offered the opportunity to be held in a separate room from unrelated men.

## Self-harm and suicide prevention

#### **Expected outcomes:**

# The facility provides a safe and secure environment which reduces the risk of self-harm and suicide.

- 1.11 Staff completed a suicide and self-harm warning form if a detainee was at risk of self-harm. These documents accompanied detainees if they moved to another place of detention. Staff said some detainees occasionally arrived from IRCs or prisons supported through self-harm prevention case management procedures. DCOs used the case management documents to identify risks and continue recording observations at the required frequency.
- **1.12** Not all staff on duty carried anti-ligature knives. Knives were kept in the DCOs' office, which could cause delays in an emergency. Staff received suicide and self-harm prevention training on their initial training course.

#### Recommendation

1.13 All DCOs should carry anti-ligature knives.

# Safeguarding (protection of adults at risk)

#### **Expected outcomes:**

# The centre promotes the welfare of all detainees, particularly adults at risk, and protects them from all kinds of harm and neglect.<sup>1</sup>

**1.14** DCOs were not aware of any safeguarding adults procedures. They said they would open a disability care plan for detainees with disabilities. Other than that, they would pay more attention to vulnerable detainees.

#### Recommendation

1.15 Tascor should develop a national safeguarding adults policy, and all relevant staff should be familiar with this.

## Safeguarding children

#### **Expected outcomes:**

# The facility promotes the welfare of children and protects them from all kinds of harm and neglect.

- 1.16 In the previous three months, 30 children had been held 26 accompanied and four unaccompanied. Accompanied children were held for an average of two hours and 45 minutes, with the longest detention being 14 hours. Unaccompanied children were held for an average of four hours and 25 minutes, with the longest detention nine hours and 35 minutes. The youngest unaccompanied child was seven years old.
- 1.17 DCOs completed sessions on safeguarding children in their initial training course. More experienced DCOs went on a one-day training course from the children's charity, Barnardo's. DCOs confirmed that the training was beneficial. DCOs completed care plans for all children in their care, both accompanied and unaccompanied. The care plans contained good basic information but did not comment on the child's mood. Observational entries were recorded on Tascor's computer system, 'Recos'.
- **1.18** Families with children and unaccompanied children could be held in the large family room, which was accessed through the DCOs' office (see paragraph 1.37).
- 1.19 The Border Force specialist safeguarding and trafficking children's team comprised officers who had received additional training. The Disclosure and Barring Service had carried out enhanced checks on team members' backgrounds. The team was aware of its statutory duty to safeguard and promote the welfare of children. Its role was to advise and guide colleagues managing children cases. At least one member of the team was on duty during early and late shifts but not always on night shifts. All members of the team had completed tier one of the Home Office's keeping children safe training, but not all had completed levels two and three. The team had taken part in a four-day training event on safeguarding that involved Hillingdon social services, the National Crime Agency, Border Force intelligence unit and the police, and had been addressed by a former victim of trafficking. The team was also due to run a 'modern slavery' training day to raise awareness with their colleagues. Border Force

We define an adult at risk as a person aged 18 years or over, 'who is or may be in need of community care services by reason of mental or other disability, age or illness; and who is or may be unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation'. 'No secrets' definition (Department of Health 2000).

confirmed that the relationship with Hillingdon social services had improved following the four-day training, and they now met monthly to discuss individual cases and exchange information. Despite this, there were some shortcomings in social services response to cases referred to them by Border Force staff times.

- 1.20 Hillingdon social services took too long to attend the airport, especially out of office hours. Shortly before our inspection, Border Force officers were concerned about two girls travelling with a woman who was not their mother. A Border Force officer had safeguarding concerns when the group approached the control desk at 3.50pm, and stopped them for further questioning. The children were then referred to social services, who did not come to pick the children up until 10.35pm. Had a social work team been based at the airport (as is the case at Gatwick), the children could have spent less time in the holding room. Rather than detain families with children in the holding room for extensive periods, some families were transferred to the family unit at Tinsley House IRC, which had more suitable conditions (see: http://www.justiceinspectorates.gov.uk/prisons/wp-content/uploads/sites/4/2014/03/tinsley-house-2012.pdf).
- **1.21** There were no child-friendly interview rooms and children were interviewed in the same rooms used for adults. There were efforts to use 'responsible adults' (an independent person who checks on the interests of the child under interview) when interviewing children on their own.

#### Recommendations

- 1.22 A member of Border Force's safeguarding and trafficking team should always be on duty, including night shifts.
- 1.23 All members of Border Force's safeguarding and trafficking team should receive tiers two and three of the keeping children safe training.
- 1.24 Border Force should contact the head of children's services at Hillingdon social services formally to request that a team of social workers be based at the airport.
- **1.25** Children should be interviewed in a child-friendly environment.

#### Use of force

#### **Expected outcomes:**

#### Force is only used as a last resort and for legitimate reasons.

1.26 Force had not been used in the facility in the previous 12 months. DCOs on duty during our inspection were up to date with their control and restraint training but had not applied it in the facility. Rather than use force to effect a removal if a detainee refused to comply, DCOs said they would cancel the removal and rebook it with escorts to accompany the detainee overseas.

# Legal rights

#### **Expected outcomes:**

Detainees are fully aware of and understand their detention. Detainees are supported by the facility staff to exercise their legal rights freely.

1.27 Detainees were issued with written reasons for their detention but in English only. Border Force staff explained the contents of the notice (IS91R) using an interpreter where required. Detainees without an immigration lawyer could phone the Civil Legal Advice helpline, which was advertised on a notice in a range of languages, but there was no guarantee that they would then receive immigration advice. Those transferring to an IRC could access legal advice there through the duty advice surgeries. Detainees could not freely use a fax machine or access email (see also paragraph 1.55). As the facility was airside, legal representatives could not visit detainees.

#### Recommendations

- 1.28 Written reasons for detention (IS91R) should be issued in a language the detainee can understand.
- 1.29 Detainees should be able to send legal documentation to representatives confidentially and quickly.

## Casework

#### **Expected outcomes:**

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

- **1.30** In the previous three months, 259 detainees had been held. The average length of detention was around three hours, and the longest was 27 hours and 35 minutes.
- **1.31** The forms authorising detention (IS91) for those held during our inspection were completed correctly. DCOs confirmed that they would never accept custody of a detainee without the correct documentation.
- 1.32 With the exception of one elderly woman, the detainees we spoke with understood why they were detained. However, many did not know what was going to happen to them next. When one detainee asked a Border Force officer when he would be released, the officer abruptly replied, 'There is a procedure to follow.'
- 1.33 Detention was not always kept to a minimum period and there were delays in transferring asylum seekers into initial accommodation. For example, shortly before our inspection, a 66-year old female detainee claiming asylum on arrival was held for 26 hours before transfer into asylum initial accommodation. Another detainee was held for 24 hours and 10 minutes, also an unreasonable time to be held without sleeping facilities. These unreasonable delays came on top of the very long hours that detainees had often travelled before arriving at the airport.

**1.34** Border Force officers were aware of the national referral mechanism<sup>2</sup> and had used it to refer potential victims of trafficking.

#### Recommendations

- **1.35** Border Force officers should confirm that detainees understand what will happen to them next.
- 1.36 Detention should be kept to a minimum period and detainees should not be held for unreasonable lengths of time without access to sleeping facilities, fresh air or natural light.

<sup>2</sup> Put in place in the UK in April 2009 to identify, protect and support victims of trafficking.

# Respect

# Accommodation

#### **Expected outcomes:**

#### Detainees are held in a safe, clean and decent environment.

- **1.37** The facility was new and therefore generally clean and in a good state of repair. It consisted of a staff office, a large holding room with fixed seating for around 45 detainees, three booths seating up to around 12 detainees, and three semi-reclined lounger seats for detainees to rest on. The lounger seats were not adequate sleeping facilities for detainees spending long periods there. There were separate toilets for men and women and those requiring disabled-access. There was a shower in the facility, which was positive, although when used it flooded into the holding room. There was also a large and well-equipped family room, but it had no natural light and the water fountain was not working. The room contained soft bench seating, play mats, a table where families could eat and a bean bag, but there was nowhere suitable to sleep. Activities for children were adequate and included a Wii games console, toys and books, and a handheld DVD player was available. The television was mounted near the ceiling and too high for children to watch comfortably. Facilities for babies were adequate and included nappies, baby wipes, baby food and a travel cot (see photographs, Appendix II).
- **1.38** There was no dedicated health care provision on site, but DCOs could call a medical triage telephone line for advice (for example, to allow a detainee to take medication), or called airport emergency services if required.

#### Housekeeping point

**1.39** The television in the family room should be mounted at a suitable height for children to view comfortably.

# Positive relationships

#### **Expected outcomes:**

Detainees are treated with respect by all staff, with proper regard for the uncertainty of their situation and their cultural backgrounds.

**1.40** DCOs were polite and respectful to detainees, and detainees we spoke to were positive about their treatment. DCOs wore an identification card on a lanyard around their neck, but the writing was very small and their name and status were not clearly displayed.

#### Housekeeping point

**1.41** DCO name badges should clearly display their name and status.

# Equality and diversity

#### **Expected outcomes:**

There is understanding of the diverse backgrounds of detainees and different cultural backgrounds. The distinct needs of each protected characteristic, including race equality, nationality, religion, disability, gender, transgender, sexual orientation, age and pregnancy, are recognised and addressed.

- **1.42** Not all the DCOs we spoke to had taken any recent diversity training, and they were unaware of any proposed refresher training.
- **1.43** A prayer mat and Bibles were freely available in the holding room, but there was no copy of the Qur'an. A sign on the ceiling indicated the direction of Mecca, and DCOs were familiar with the requirements of Ramadan.
- **1.44** Staff told us they completed a care plan for detainees with disabilities, although none had been completed in the previous three months. There was an accessible toilet for detainees with mobility problems.
- 1.45 Staff were aware of the designated telephone interpreting service and how to use it. However, we observed a DCO trying to communicate with a detainee who spoke very little English without the aid of this service. Records indicated the service had been used once in the previous three months. There was no hearing loop facility, and no information in Braille.

#### Recommendations

- 1.46 DCOs should receive training which is regularly refreshed in all aspects of diversity, including the wide-ranging backgrounds of, and particular issues faced by, detainees in the immigration system.
- 1.47 DCOs should use a professional telephone interpreting service to communicate with all detainees with little or no English.
- 1.48 Information should be provided in Braille for those requiring it, and a hearing loop facility should be available.

#### Housekeeping point

**1.49** Copies of the Qur'an should be available in the holding room.

# Complaints

#### **Expected outcomes:**

Effective complaints procedures are in place for detainees which are easy to access and use, in a language they can understand. Responses are timely and can be understood by detainees.

1.50 We were unable to obtain complaints statistics from the Home Office. Detainees could make a formal complaint using the standard Home Office complaint forms, which were available in a range of languages next to a secure complaints box. The box was emptied regularly by immigration staff (we posted a test complaint and staff responded the next day),

and were sent to a central Home Office department to be dealt with. Child-friendly complaint forms were available in the family room, and were dealt with in the same way

**1.51** A poster displayed photographs of Independent Monitoring Board (IMB) members with details of how to contact them, and they visited the facility regularly.

## Catering

#### **Expected outcomes:**

Detainees are offered varied meals to meet their individual requirements. Food is prepared and served according to religious, cultural and prevailing food safety and hygiene regulations.

**1.52** Catering provision was adequate. A range of microwave meals, including halal and vegetarian options, and sandwiches was available. Detainees could help themselves to snacks and fruit in the holding room, but the hot and cold drinks machine was in the staff office area and they had to ask staff if they wanted a drink.

#### Housekeeping point

**1.53** The drinks machine should be relocated into the holding room.

# Activities

#### **Expected outcomes:**

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

1.54 There were sufficient activities to occupy detainees held for short periods, including books, magazines and newspapers in a range of languages, and a television. Detainees could ask to use a handheld DVD player. They could not go outside to exercise and the facility lacked natural light or fresh air (see recommendation 1.36). Detainees were not allowed to smoke, and no nicotine patches or gum were available.

# Preparation for removal and release

#### **Expected outcomes:**

Detainees are able to maintain contact with the outside world and be prepared for their release, transfer or removal. Detainees are able to retain or recover their property. Families with children and others with specific needs are not detained without items essential to their welfare.

1.55 Visitors were not permitted in the holding room as it was airside. Detainees could not routinely access email, Skype or social networks to inform friends and family of what was happening or to communicate with legal representatives (see paragraph 1.27). Information cards with the address and telephone number of IRCs were available for detainees transferring to further detention. There was a good range of clothing stored at the holding room for those requiring it.

#### Recommendations

- **1.56** Detainees should have supervised access to the internet, including email, Skype and social networks.
- 1.57 Arrangements should be made to allow visitors to see detainees.

# Section 2. Recommendations and housekeeping points

# Recommendations

## To the Home Office

- **2.1** A member of Border Force's safeguarding and trafficking team should always be on duty, including night shifts. (1.22)
- **2.2** All members of Border Force's safeguarding and trafficking team should receive tiers two and three of the keeping children safe training. (1.23)
- **2.3** Border Force should contact the head of children's services at Hillingdon social services formally to request that a team of social workers be based at the airport. (1.24)
- **2.4** Border Force officers should confirm that detainees understand what will happen to them next. (1.35)

## **Recommendation** To the Home Office and facility contractor

2.5 Detention should be kept to a minimum period and detainees should not be held for unreasonable lengths of time without access to sleeping facilities, fresh air or natural light. (1.36)

# Recommendations

To the facility contractor

#### Arrival

- **2.6** A female detainee custody officer should be present in the holding room whenever a woman is detained there, and for the duration of her detention. (1.5)
- **2.7** Detainees should be given a mobile phone when in the holding room to contact friends, family and legal representatives. (1.6)

#### Bullying and personal safety

- 2.8 DCOs should be able to view blind spots in the holding room through CCTV. (1.9)
- **2.9** Women detainees should always be offered the opportunity to be held in a separate room from unrelated men. (1.10)

#### Self-harm and suicide prevention

2.10 All DCOs should carry anti-ligature knives. (1.13)

#### Safeguarding (protection of adults at risk)

**2.11** Tascor should develop a national safeguarding adults policy, and all relevant staff should be familiar with this. (1.15)

#### Safeguarding children

2.12 Children should be interviewed in a child-friendly environment. (1.25)

#### Legal rights

- **2.13** Written reasons for detention (IS91R) should be issued in a language the detainee can understand. (1.28)
- **2.14** Detainees should be able to send legal documentation to representatives confidentially and quickly. (1.29)

#### Equality and diversity

- **2.15** DCOs should receive training which is regularly refreshed in all aspects of diversity, including the wide-ranging backgrounds of, and particular issues faced by, detainees in the immigration system. (1.46)
- **2.16** DCOs should use a professional telephone interpreting service to communicate with all detainees with little or no English. (1.47)
- **2.17** Information should be provided in Braille for those requiring it, and a hearing loop facility should be available. (1.48)

#### Preparation for removal and release

- **2.18** Detainees should have supervised access to the internet, including email, Skype and social networks. (1.56)
- 2.19 Arrangements should be made to allow visitors to see detainees. (1.57)

## Housekeeping points

- **2.20** The television in the family room should be mounted at a suitable height for children to view comfortably. (1.39)
- 2.21 DCO name badges should clearly display their name and status. (1.41)
- 2.22 Copies of the Qur'an should be available in the holding room. (1.49)
- 2.23 The drinks machine should be relocated into the holding room. (1.53)

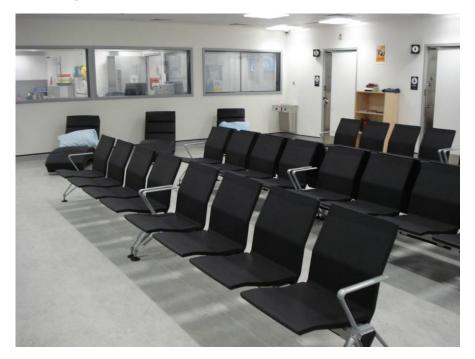
# Section 3. Appendices

# Appendix I: Inspection team

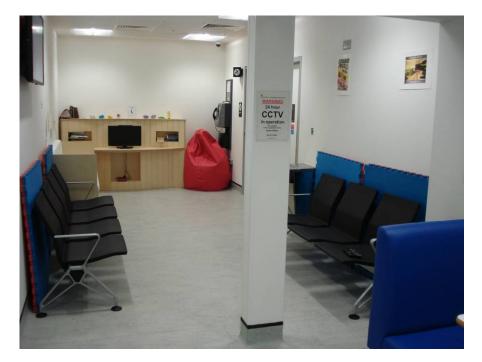
Bev Alden Colin Carroll Sarah Cutler Inspector Inspector Inspector

# Appendix II: Photographs

## Holding room



#### Family room



## Family room



## Family room

