

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

Manchester Airport Terminal 2

by HM Chief Inspector of Prisons

4 January 2019

Glossary of terms

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Printed and published by:
Her Majesty's Inspectorate of Prisons
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Canary Wharf
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Fact page

Task of the establishment

To hold immigration detainees for short periods

Location

Manchester Airport, Terminal 2

Name of contractor

Mitie Care and Custody

Last inspection

13 January 2016

Escort provider

Mitie Care and Custody

Introduction

Manchester Airport is the UK's third busiest airport in passenger numbers and the largest outside London. The short-term holding facility (STHF) is in Terminal 2, next to the arrivals hall, and is run by the private contractor Mitie Care and Custody on behalf of the Home Office; Mitie took over the contract from Tascor from 1 May 2018. Many detainees arrived directly from flights and were held while Border Force inquired about their immigration status or after they were refused entry to the UK. Others arrived from the Manchester Airport Residential STHF.

The facility was shabby and in need of refurbishment; we were told this was planned. There were no detainees held during the inspection.

Despite repeated requests to Mitie Care and Custody for information on the number of detainees held and their length of detention, we were not provided with information in time for the publication of this report.

An Independent Monitoring Board had regular oversight of the facility.

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 detention¹

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.

¹ Non-residential STHFs are unsuitable for long stays and detainees should not be held in them for more than a few hours. This limits what activities can or need to be provided. We will therefore report any notable issues concerning activities in the accommodation and facilities section.

Summary

- S1 At our inspection in 2016 we made 19 recommendations, only five of which we found at this inspection were achieved and 14 not achieved.
- S2 Most detainees had usually been detained straight from a flight or came from the neighbouring residential short-term holding facility (STHF).
- S3 Men and women were held together in a single holding room, which could have been intimidating for women. Staff could not recall any instances of bullying. The incidence of self-harm was low. Detainee custody officers (DCOs) had undertaken safeguarding adults training as part of their induction, but this had not been refreshed within the last two years. None were familiar with trafficking indicators or the national referral mechanism (which identifies, protects and supports victims of trafficking).
- S4 Not all DCOs had had recent safeguarding children training. There was a room outside the facility available for families and unaccompanied minors, which Border Force staff used while making a decision about detention. Unaccompanied children were cared for in the room by a member of the airport chaplaincy or airline staff. The Border Force officers were unaware if such staff had been cleared by the Disclosure and Barring Service (DBS), and there was no requirement for them to be trained in safeguarding. We were told that once an IS91 (authority to detain document) had been issued, children were moved to the main holding room managed by Mitie Care and Custody staff.
- S5 Use of force was rare in the holding room. All DCOs had been trained in the Home Office manual for escorting safely (HOMES).
- S6 Information on advice and support agencies was displayed in several languages. There was no longer a fax machine that detainees could use to send documents to their legal representatives. We were later informed that detainee paperwork could be faxed on request using a Border Force machine.
- S7 The environment was shabby and austere, with no natural light or fresh air. It was unsuitable for stays of more than a few hours or overnight. We were not provided with logs to establish the average length of detention.
- S8 Detainees could practise their religion in the holding room but had no access to a nearby prayer room designated for staff use only. Catering was adequate. We were told that complaint boxes were emptied daily, but there was no response to a test complaint that we submitted.
- S9 There were sufficient activities for short stays. No visits were permitted. Detainees had no access to the internet, which was a disproportionate restriction.

Section 1. Safety

Arrival and reception

Expected outcomes:

Detainees travelling to and arriving at the facility are treated with respect and care.

Risks are identified and acted on. Induction is comprehensive.

- I.1** Despite requests to Mitie Care and Custody, we did not receive information in time for the publication of this report to establish where detainees arriving at the facility had come from.
- I.2** The holding room was open 24 hours a day, seven days a week and was staffed by four DCOs during the day and two at night, including at least one woman. No detainees were escorted to or from the facility during the inspection.
- I.3** We were told that, on arrival, detainees received a rub-down search in the waiting area outside the staff office. DCOs said that they would not admit detainees without the relevant authority to detain (IS91) document.
- I.4** All detainees were offered a free telephone call on arrival in the staff office. Their personal property was stored in a secure cage in the DCOs' office until they were transferred from the facility. A small amount of spare clothing and some basic toiletries were available for detainees if required. We were told that detainees were not allowed to keep medication and that staff were not authorised to allow them to take their medication; this was potentially injurious to their health. DCOs could call NHS 111, or 999 in an emergency, but the former was not an adequate substitution for a medical triage service.
- I.5** A basic induction leaflet for detainees was available in a variety of languages. Staff told us they would go through this with arriving detainees, and use interpreting services if required.

Recommendation

- I.6** **There should be arrangements to ensure detainees have adequate access to medical services, including medication to meet their health needs.**

Safeguarding adults and personal safety

Expected outcomes:

The facility promotes the welfare of all detainees and protects them from all kinds of harm and neglect. The facility provides a safe environment which reduces the risk of self-harm and suicide. Detainees are protected from bullying and victimisation, and force is only used as a last resort and for legitimate reasons.

- 1.7** Mitie Care and Custody staff were not aware of the national referral mechanism but they told us they would pass on concerns about trafficking to the Border Force staff. They had received safeguarding training while working for the previous provider. Border Force had an on-site safeguarding and modern slavery team (SAMS) which dealt with children, victims of trafficking and other vulnerable people. Border Force attended quarterly safeguarding meetings with Manchester Social Services. Mitie staff did not attend these meetings. Unrelated men and women continued to be held in the same holding room, which was inappropriate.
- 1.8** DCOs received self-harm and suicide prevention training in their initial training but no refresher course. DCOs on duty carried anti-ligature knives. We were told that DCOs would complete a suicide and self-harm warning form if a detainee indicated an intention to self-harm. This information would accompany the detainee as they travelled on to an IRC, where assessment, care in detention and teamwork (ACDT) case management documentation for detainees at risk of suicide or self-harm could be opened and the detainee fully assessed.
- 1.9** DCOs had good oversight of the holding room through a large window in their office, and the holding room was covered by closed-circuit television (CCTV) with the footage retained on a hard drive. However, this could only be viewed following a request to the local Immigration Enforcement team, which could delay access to information.
- 1.10** We were told that force was rarely used in the facility and that it had not been used in the previous six months.
- 1.11** The facility stocked two Home Office manual for escorting safely (HOMES) kits: a backpack with a waist restraint belt and a leg restraint belt. DCOs told us that if a detainee refused to board a flight they would not use force (see paragraph 1.43). DCOs carried rigid handcuffs on their belt, which could be easily seen by detainees and could be intimidating. However, staff told us that if children were in the facility they would remove their belts and ties to make it less intimidating for them. We were told that handcuffs were rarely used in the facility.

Recommendations

- 1.12 Mitie Care and Custody managers should ensure that detainee custody officers are aware of the potential vulnerabilities of detainees and of safeguarding mechanisms.**
- 1.13 Men and women should not be held together in the same holding room unless they are related.**

Safeguarding children

Expected outcomes:

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

- I.14 Mitie Care and Custody did not provide us with logs so that we could establish how many children had been held at the facility and for how long.
- I.15 Mitie Care and Custody DCOs were all cleared to an enhanced level by the Disclosure and Barring Service (DBS). The Border Force safeguarding and modern slavery (SAMS) team was responsible for interviewing children; checks on some team members to the DBS enhanced level were outstanding. All the SAMS team had received extended training in dealing with young and vulnerable people and victims of modern slavery. A member of the SAMS team attended a quarterly safeguarding meeting with Manchester Social Services, but Mitie staff did not (see paragraph I.7). An up-to-date memorandum of understanding between Border Force and Manchester City Council detailed responsibilities and timescales for referral responses.
- I.16 Mitie staff had received training in child safeguarding from Barnardo's while they were working for Tascor; Mitie had not provided any recent training. DCOs told us that there was good information sharing with Border Force staff about children. All children held in the facility had a care plan that contained some basic information that helped identify issues. We were told that DCOs checked on children every 15 minutes during their stay in the holding room.
- I.17 As at the last inspection, Border Force did not have a list of people identified as responsible adults (independent individuals who check on the interests of a detained child being interviewed) to provide support to unaccompanied children. We were told that they would use the airport chaplains or airline representatives to fulfil this role. It was not known if the latter had training or if they had up-to-date DBS clearance.

Recommendation

- I.18 **Only trained and informed responsible adults should be used to provide support to unaccompanied children, and they should be recruited, trained and coordinated independently of Border Force.**

Legal rights

Expected outcomes:

Detainees are fully aware of and understand their detention, following their arrival at the facility and on release. Detainees are supported by the facility staff to freely exercise their legal rights.

- I.19 A notice beside the telephone in the holding room promoted the Civil Legal Advice helpline in various languages. However, no solicitors' numbers were displayed in the holding room. As the facility was located airside, legal representatives were unable to visit detainees. Detainees could maintain contact with their legal representatives by telephone, but this was not private. There was no longer a fax machine in the DCOs' office, and detainees had no access to emails (see recommendation I.38).

- I.20** Detainees were given a copy of their reasons for detention in English only. We were told that Border Force staff would request the presence of a professional interpreter or telephone interpreting to explain the contents of the notice.
- I.21** Mitie Care and Custody did not provide us with logs so that we could establish the average length of detention for detainees held at the facility.

Recommendation

- I.22** Detainees should be issued with and allowed to keep the reason for detention (IS91R) document in a language they can understand.

Respect

Accommodation and facilities

Expected outcomes:

Detainees are held in a safe, clean and decent environment. They are offered varied meals according to their individual requirements. The facility encourages activities to promote mental well-being.

- I.23 The facility was shabby and in need of refurbishment, but a new facility was planned as part of the new terminal. It comprised one holding room with a male and female toilet and a shower. The room was overlooked by a DCOs' office, and there was CCTV coverage of all areas.
- I.24 The environment remained cramped and dingy, and unacceptable for lengthy detention and overnight stays. There was no natural light. Cleanliness was acceptable. The holding room contained a television, payphone (without privacy hood), and fixed seating and tables. There was one semi-recliner seat and some bean bags, but these did not provide adequate sleeping facilities. There was a designated multi-faith room next to the interview rooms, but we were told this was for staff only. Detainees who wished to practise their religion needed to do so in the holding room.
- I.25 The female toilet provided a range of sanitary items, and had the only baby-changing facilities. Baby food was available. Clothing was available for male and female detainees. DCOs issued toiletry bags with basic items to detainees, and towels and blankets if required.
- I.26 Catering arrangements were adequate, consisting of a range of microwave meals, including halal, kosher and vegetarian options. Detainees could help themselves to crisps, croissants, biscuits and fruit in the holding room, and a vending machine and water fountain provided hot and cold drinks.
- I.27 Detainees had limited access to activities to occupy them. The holding room contained a small range of books and magazines, with some in foreign languages. There were some toys for children, and a range of DVDs.
- I.28 Detainees still had no access to the open air. There was no place for them to smoke, although staff could offer nicotine lozenges.

Respectful treatment

Expected outcomes:

Detainees are treated with respect by all staff. Effective complaints procedures are in place for detainees. There is understanding of detainees' diverse cultural backgrounds. Detainees' health care needs are met.

- I.29 Staff told us that they routinely introduced themselves to detainees and addressed them by their preferred names. Although they wore name badges, the writing on them was too small for detainees to read easily.
- I.30 No detainees were held during our inspection. However, DCOs we spoke to were aware of the stresses that detention can cause, and appeared focused on ensuring needs were

addressed. They carried out welfare checks hourly for adults and every 15 minutes for children, and recorded these on an electronic recording database.

- I.31** Detainees could complain using the standard Home Office complaint form, which was available in a variety of languages. However, the forms were kept inside a folder in the holding room, and it was unlikely that detainees would know of their location. Child-friendly complaint forms were available but also in the same folder. No complaints had been submitted in the previous six months. Staff told us that Border Force staff emptied the complaints boxes daily and visits by staff were recorded in their daily diary. There was no response to a dummy complaint we put in the box.
- I.32** The DCOs had a basic awareness of diversity issues but they could not remember the last time they had completed refresher training in equality and diversity. Prayer mats and religious texts were freely available in the holding room.
- I.33** There were no adapted toilet and shower facilities for detainees with disabilities. DCOs said they would use disability care plans when required, and we were told that one had been opened in the previous six months. The facility layout and design would make it very difficult for wheelchair users to move around.
- I.34** Staff were aware of the designated professional telephone interpreting service, which had been used 21 times in the previous six months.
- I.35** Detainees were not offered paracetamol, and could not retain prescribed medication (see recommendation I.6).

Recommendation

- I.36 The complaints box should be emptied daily.**

Preparation for removal and release

Communications

Expected outcomes:

Detainees are able to maintain contact with the outside world using a full range of communications media.

- I.37** Detainees could keep their mobile phones if they had no cameras or internet access, or could use their SIM cards in alternative phones available, but their use was limited by a poor signal. When we tested mobile phones in the holding room we could not get a signal. The holding room contained a pay phone, and staff would allow detainees to use the office phone to advise their family and friends (including abroad) of the number for incoming calls, but neither provided any privacy. Detainees could change foreign currency into sterling to enable them to make outgoing calls from the payphone.
- I.38** Detainees could not use email, video calling or social networks to contact friends, family or their solicitors. There was no fax machine in the DCOs' office.

Recommendation

- I.39** Detainees should have access to email, internet and fax.

Leaving the facility

Expected outcomes:

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

- I.40** Mitie Care and Custody did not provide us with the information to establish the onward destination of detainees who had been held at the facility.
- I.41** Visitors were not allowed into the holding room due to the airside location. There was still no provision for them to deliver property or cash to detainees.
- I.42** Information cards with the address and telephone number of IRCs were available for detainees transferring to further detention. We were told that detainees' personal property was returned to them on departure from the facility.
- I.43** We were unable to observe any escorts during our inspection. Facility staff said they would not force non-compliant detainees onto aircraft. We were told that such removals would be cancelled and rescheduled with overseas escorts.

Section 2. Summary of recommendations

Recommendations

To the Home Office

- 2.1 Only trained and informed responsible adults should be used to provide support to unaccompanied children, and they should be recruited, trained and coordinated independently of Border Force. (1.18)
- 2.2 The complaints box should be emptied daily. (1.36)
- 2.3 Detainees should have access to email, internet and fax. (1.39)

Recommendations

To the facility contractor

Arrival and reception

- 2.4 There should be arrangements to ensure detainees have adequate access to medical services, including medication to meet their health needs. (1.6)

Safeguarding adults and personal safety

- 2.5 Mitie Care and Custody managers should ensure that detainee custody officers are aware of the potential vulnerabilities of detainees and of safeguarding mechanisms. (1.12)
- 2.6 Men and women should not be held together in the same holding room unless they are related. (1.13)

Legal Rights

- 2.7 Detainees should be issued with and allowed to keep the reason for detention (IS91R) document in a language they can understand. (1.22)

Section 3. Appendices

Appendix I: Inspection team

Tamara Pattinson
Michael Dunkley
Chris Rush

Team leader
Inspector
Inspector

Appendix II: Progress on recommendations from the last report

The following is a list of all the recommendations made in the last report, organised under the four tests of a healthy establishment. The reference numbers at the end of each recommendation refer to the paragraph location in the previous report. If a recommendation has been repeated in the main report, its new paragraph number is also provided.

Safety

Detainees are held in safety and with due regard to the insecurity of their position.

Recommendations

Detainees should be searched in a suitable private area. (1.6, repeated recommendation 1.7)

Not achieved

Detainees should be offered a free telephone call on arrival, and have further access to a telephone to contact family, friends and legal representatives. (1.7)

Achieved

Detainees should have access to appropriate health care provision. (1.8)

Not achieved

The purpose of the vulnerable detainee room should be clarified and governance arrangements, including legal and practical implications, made clear and robust. (1.11)

Achieved

Staff should receive up-to-date training in suicide and self-harm prevention. (1.13, repeated recommendation 1.12)

Not achieved

A policy for managing vulnerable detainees should be developed in liaison with the local director of adult social services and the local safeguarding adults board. (1.17, repeated recommendation 1.14)

Not achieved

Staff should be trained in the identification of trafficking victims and concerns relating to trafficking should be shared by DCOs with Border Force staff at the earliest opportunity. (1.18)

Not achieved

Children's care plans should be purposeful; they should set out tailored planning which protects and promotes the welfare and safety of children while in detention. (1.24)

Not achieved

All staff who have contact with children in detention should have an enhanced level Disclosure and Barring Service (DBS) check and receive regular safeguarding children training. (1.25)

Not achieved

The memorandum of understanding between the Home Office and Manchester social services should contain defined timeframes for referral responses. (1.26, repeated recommendation 1.27)

Achieved

The Home Office should progress cases speedily to ensure that detainees are held for the minimum time. (I.32, repeated recommendation I.33)

Not achieved

Detainees should be provided with written reasons for their detention in a language they can understand. (I.33, repeated recommendation I.34)

Not achieved

The legal and practical implications of detaining people in interview rooms should be clarified by the Home Office and Tascor. (I.34, repeated recommendation I.35)

Not achieved

Professional interpreting should be used to communicate with detainees who cannot understand English. (I.35)

Achieved

Respect

Detainees are treated with respect for their human dignity and the circumstances of their detention.

Recommendations

Detainees held for more than a few hours should have access to the fresh air. (I.57)

Not achieved

Women, families and children should be detained in separate and appropriate accommodation with supervision from suitably trained staff. (I.39)

Not achieved

All DCOs should be proactive in engaging with detainees. (I.43)

Achieved

Staff should receive ongoing equality and diversity training. (I.49)

Not achieved

Preparation for removal and release

Detainees are able to maintain contact with the outside world and be prepared for their release, transfer or removal.

Recommendation

The internet should become a meaningful resource for communication, information and recreation for detainees at all immigration facilities. Detainees should have access to all documents and websites, including email, social networking sites and Skype, unless an individual risk assessment indicates otherwise. (I.60)

Not achieved

Appendix III: Photographs

Easy chair



Holding room



Holding room



Men's toilet



Shower in holding room



Entrance to holding room where detainees were searched



Women's toilet

