

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

Heathrow Airport

Terminal 5

by HM Chief Inspector of Prisons

19 February 2019

Glossary of terms

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Fact page

Task of the establishment

To hold arriving passengers pending a UK Border Force decision on their entry, and those being removed from the United Kingdom.

Location

Heathrow Airport Terminal 5 (airside)

Name of contractor

Mitie Care and Custody

Last inspection

12 May 2015

Escort provider

Mitie Care and Custody

Introduction

Terminal 5 is Heathrow airport's busiest terminal, handling over 30 million passengers a year. Border Force uses the short-term holding facility to hold passengers who have been stopped for questioning or those who have been refused entry and are being removed. The facility, comprising a detainee custody officers' office and two holding rooms, is located airside, next to the primary control point. Despite being told of rebuilding plans at the time of the previous inspection in 2015, the facility remained largely unchanged. Detainees were largely kept safe and conditions were reasonably good for those held for short stays. On the day of the inspection, five people were detained. In the previous three months, 727 detainees had been held, for an average of eight hours and 21 minutes. Mitie Care and Custody staff were unable to provide consolidated figures on detention length; we derived some figures from the raw data but could not produce a full analysis. An independent monitoring board regularly visited 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 short-term holding facilities 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 May 2015, we made 18 recommendations, four of which we found at this inspection were achieved, two partially achieved and 12 not achieved.
- S2 The escort van we inspected was well equipped but not clean. Reception processes were sound. Detainee custody officers (DCOs) were friendly and reassuring to newly arrived detainees, and used professional telephone interpreting services to communicate with those who did not speak English.
- S3 Members of Border Force's safeguarding and modern slavery (SAMS) team were knowledgeable and alert to the risks faced by detainees. DCOs had little awareness of mechanisms to support vulnerable adults but had started to use vulnerable adult warning forms. Border Force staff attended a quarterly meeting with Hillingdon social services and other agencies to promote the safeguarding work across the airport.
- S4 DCOs carried anti-ligature knives and completed suicide and self-harm warning forms if they considered that a detainee was going to harm themselves. Unrelated male and female adult detainees could not be held separately but DCOs had good views into the main holding room. They received regular training in the Home Office's manual for escorting safely.
- S5 Border Force officers were aware of their duty to promote and safeguard the welfare of children. SAMS officers were alert to the risks of trafficking and exploitation. Responsible adults (independent individuals who checked on the interests of a detained child being interviewed) were not managed independently of Border Force and we were not confident that their backgrounds were checked by the Disclosure and Barring Service.
- S6 Detainees had limited access to legal advice. In the previous three months, 727 detainees had been held in the facility, for an average of eight hours and 21 minutes.
- S7 The facility had changed little since the previous inspection. The environment had been softened with the introduction of pictures, a mural and plants but the facility lacked natural light. The facility was clean. There was no shower. Catering arrangements were adequate. There was enough to do for detainees held for a brief period but there was no access to fresh air.
- S8 DCOs were polite, attentive and sympathetic to the circumstances and anxieties of detainees. Detainees could practise their own religion and submit complaints.
- S9 DCOs removed all medication from detainees on arrival. Detainees were not allowed to take their medication unless the port medical officer granted permission. There was no professional health screening. DCOs called airport paramedics or the port medical officer in emergencies. It was unclear how lower-level medical needs would be met.
- S10 Detainees had limited access to the outside world and could not use fax, email, social media, video calling or the internet. Detainees' access to their mobile phones was restricted.
- S11 Detainees transferring to immigration removal centres were given a small information card about the centre.

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 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 primary control point. The vehicle used to transport detainees to other terminals was equipped with closed-circuit television (CCTV) and a fully stocked first-aid kit but contained some graffiti and had not been cleaned recently (see Appendix III).
- I.2 The facility was open 24 hours a day, seven days a week, and staffed by one male and one female detainee custody officer (DCO). A female officer was on duty for all shifts. When exceptionally this was not the case, we were told that a female Border Force officer would be called to search female detainees.
- I.3 Reception processes were sound. DCOs greeted newly arrived detainees in a friendly and reassuring way. Staff checked the necessary authority to detain (form IS91) and used an induction checklist to ensure that key information was obtained from, and given to, the detainee, such as determining their religious needs, food allergies, marital status and next of kin, and informing them how to make a complaint. When the detainee did not speak English, a professional telephone interpreting service was used.
- I.4 All adult detainees were given a rub-down search by a DCO of the same gender in a curtained side-room, which was sufficiently private. Children were searched only with a wand. All detainees were offered a telephone call, hot drink and hot food.
- I.5 A leaflet containing basic information about the facility in 16 languages was available in the holding rooms.

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.

- I.6 Members of Border Force's safeguarding and modern slavery (SAMS) team were on duty during the day, to support and advise colleagues handling cases involving passengers who were potentially at risk of harm. Members of the team had completed a four-day training package and enhanced checks by the Disclosure and Barring Service, and had a role description. A member of the team was always on duty during early and late shifts but not always at night. Team members were alert to safeguarding issues and could speak knowledgeably about the risks of human trafficking, forced labour and female genital mutilation. They gave us examples of using the national referral mechanism.
- I.7 The local safeguarding boards ran a Joint Strategic Safeguarding Children and Vulnerable Adults and Trafficking Sub-Committee, a multi-agency forum that scrutinises safeguarding

arrangements for those arriving at Heathrow Airport. Border Force staff attended quarterly multidisciplinary meetings of the sub-committee. Staff from Hillingdon social services, the police and Harmondsworth immigration removal centre (IRC) staff attended the meetings.

- I.8** Mitie Care and Custody had a national ‘safeguarding vulnerable adults at risk’ standard operating procedure. DCOs had little awareness of mechanisms to safeguard adults but had started to use vulnerable adult warning forms. One form we reviewed clearly identified the detainee’s needs and the adjustments that had been made to meet them. The warning forms accompanied detainees to their next place of detention. DCOs said that they would also inform a Border Force officer if they considered that an adult was at risk in detention. Telephone numbers for detainees to report female genital mutilation and modern slavery were displayed in the holding rooms.
- I.9** There had been no incidents of self-harm since at least May 2018, when Mitie Care and Custody started staffing the facility. DCOs carried anti-ligature knives but could not recall a detainee trying to harm themselves in the facility. They said that they would complete suicide and self-harm warning forms if they considered that a detainee was going to harm themselves. The forms would accompany the detainee to their next place of detention. No such forms had been opened in the facility since at least May 2018. Mitie Care and Custody’s national suicide and self-harm prevention standard operating procedure was reasonably helpful.
- I.10** Unrelated male and female adult detainees could not be held separately as there was only one holding room for adults. DCOs had good views into the main holding room and would be able to respond quickly if a detainee summoned help. DCOs could not see directly into the family holding room, as its windows were frosted, but they could view it using CCTV.
- I.11** Force had not been used since May 2018, when Mitie Care and Custody started staffing the facility. DCOs had been trained in the Home Office’s manual for escorting safely, and received refresher training every nine months. They could not recall using force in the facility. Waist and leg restraints were available in the holding room but, again, DCOs could not recall them being used. They said that they would not force detainees onto aircraft but, rather, the detainee would be taken to an IRC and the removal would be rearranged with specialist overseas escort staff. The facility was monitored by CCTV cameras, and Border Force managers could review the footage.

Recommendations

- I.12** **Border Force officers on night shifts should be able to receive advice from a member of the Safeguarding and Modern Slavery team.**
- I.13** **Mitie Care and Custody managers should ensure that detainee custody officers (DCOs) are aware of the potential vulnerabilities of detainees, and of safeguarding mechanisms.**
- I.14** **Unrelated male and female detainees should routinely be given the option of being located in a separate holding room. (Repeated recommendation I.11)**

Safeguarding children

Expected outcomes:

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

- I.15** In the previous three months, children had been detained on 97 occasions.
- I.16** Border Force officers were aware of their duty to promote and safeguard the welfare of children. SAMS officers were alert to the risks of exploitation and trafficking. They described their relationship with Hillingdon social services as improving and good. The local children social services team did not have a permanent presence at the airport. SAMS officers said that social workers responded reasonably quickly to collect unaccompanied asylum-seeking children during working hours, but were sometimes slow out of hours. Arrangements for responsible adults (independent individuals who checked on the interests of a detained child being interviewed) to attend Border Force interviews with unaccompanied children were not robust. Responsible adults were not recruited and managed independently of Border Force and we were not confident that their backgrounds were checked by the Disclosure and Barring Service. An interview room had been adapted to make it child friendly. Border Force used this room to interview parents with young children (see Appendix III).
- I.17** Other than on their initial training course, DCOs did not receive refresher training in working with children. They completed a child care plan for all children held in the facility – accompanied and unaccompanied alike. The plans were basic but helpful and contained key basic information. Families with children, and unaccompanied children were held in the small family room.

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** Detainees had limited access to legal advice. Those claiming asylum could seek advice from the Civil Legal Advice helpline but telephone numbers for this service were not prominently displayed. Other detainees would most likely have to rely on friends and family to source legal advice. A notice promoted the Office of the Immigration Services Commissioner, which may have helped some detainees to contact a registered immigration adviser. Detainees could not fax or email legal representatives and, because the facility was airside, could not meet legal representatives. However, they could communicate with them by telephone (see paragraph I.39).
- I.20** Border Force officers gave detainees the reasons for their detention in writing (form IS91R), and used professional telephone interpreting services to explain its contents to detainees who did not speak English.

- 1.21** In the previous three months, 727 detainees had been held. Thirteen detainees had been held for over 24 hours. Detainees could be held in a controlled waiting area in front of the primary control point. A Border Force officer supervised the area, and attempts were made to hold detainees there for no more 30 minutes, although this was not always possible.

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.22** The facility was largely unchanged since the previous inspection. There was a large holding room with toilets, an adjoining family room, a DCOs' office with a wide window that looked onto the main holding room, and a storeroom.
- I.23** Both holding rooms had recently been redecorated and brightened up with plants, pictures and a mural in the family room (see Appendix III). These efforts had softened the environment but there was no natural light. The family room windows were frosted, which gave privacy but made the environment claustrophobic. The holding rooms were air conditioned but DCOs could not control their temperature, and they often become too warm or too cold. The facility, including the toilets, was clean.
- I.24** There were separate toilets for men and women, and another for detainees with disabilities which contained baby change facilities (see Appendix III). All were clean and well maintained, but there were no toilet seats or lids (see Appendix III). The doors between the holding rooms and the toilets no longer had gaps at the top and bottom. Families could not access baby change facilities without going through the main holding room. There was no shower, although we were told that detainees could go to other short-term holding facilities in the airport if they wanted one. Showers were not offered routinely on arrival, but were offered to long-stayers.
- I.25** Both holding rooms contained airport-style fixed seating arranged in rows, which was not comfortable for long stays (see Appendix III). For detainees held overnight or others requiring sleep, there were three basic pull-out foam mattresses (see Appendix III). These were an improvement on the recliner chairs present at the time of the previous inspection. Clean pillows and blankets were offered to detainees. There was no place to sleep in the family room, although a cot could be provided.
- I.26** A toiletry pack was available, containing a flannel, comb, shower gel, and toothbrush and toothpaste, as well as sanitary products for women.
- I.27** Catering arrangements were adequate. Detainees could help themselves to fruit, crisps, biscuits and croissants, as well as water from fountains (see Appendix III). Hot drinks and microwaveable meals were also available, and offered routinely on arrival. Some of the meal options were halal and vegetarian, but if kosher food was required staff had to ask for this to be brought over from another facility in the airport. Food for toddlers older than a year was available onsite. DCOs could buy baby food from elsewhere in the airport, using petty cash.
- I.28** The facility was located airside, and detainees had no access to outside space for exercise in the fresh air. There was a range of newspapers, magazines and books in the main holding room, but only the newspapers and magazines were in languages other than English. There were televisions in both holding rooms, and handheld DVD players were available, with a range of DVDs, but suitable only for children. There was also a Wii games console in the family room, in addition to children's books and a good stock of toys. Nappies and baby

wipes were available. There was enough to do for adults and children staying short term, but not for those staying for a long time.

Recommendations

- I.29 Detention should be kept to a minimum period and detainees should not be held for an unreasonable time without access to sleeping and washing facilities, fresh air or natural light.** (Repeated recommendation I.36)
- I.30 All toilets should be fitted with proper seats and lids.**

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.31** DCOs were polite, attentive and sympathetic to the circumstances and anxieties of detainees. DCOs did not have easily readable name badges. They made appropriate use of professional telephone interpreting services. The services had been used 164 times in the last six months of 2018. Mitie Care and Custody was trialling an interpreting application on a tablet computer; it was inaccurate when we tested it.
- I.32** Staff had received no training on equality, diversity or cultural awareness, other than a very short session during their induction training.
- I.33** Detainees could practise their religion, although there was no separate faith or quiet room. The holding rooms held copies of the Bible and the Qur'an, and prayer mats were available. The direction of Mecca was shown in the main holding room and pointed out during the detainee induction.
- I.34** DCOs told us that they opened care plans for detainees with disabilities, and we were shown one for a detainee with impaired vision that had been completed adequately. The adapted toilet included grab handles, a low sink and an alarm.
- I.35** Complaint forms were available in a variety of languages in both holding rooms. Although the forms were displayed clearly in the main room, in the family room they were contained in an unlabelled box, making them difficult to find. A Border Force officer emptied the complaints boxes each day. Mitie Care and Custody had received one complaint in relation to the facility since May 2018. The response to this complaint had been satisfactory.
- I.36** Detainees' health needs were not screened on arrival by a health care professional. DCOs now took all medications from detainees on arrival, even when these had been prescribed to the individual. Detainees were not allowed to take their medication unless the port medical officer granted permission. DCOs could contact airport paramedics or the port medical officer in an emergency, and NHS 111 for lower-level needs. However, this latter service could not authorise the distribution of medication. This blanket policy of removing all medication without a health screening interfered with detainees' continuity of care.

Recommendations

- I.37 DCOs should receive training, which is regularly refreshed, in all aspects of diversity, including mental health, disability and the wide-ranging backgrounds of, and particular issues faced by, detainees in the immigration system.**
- I.38 There should be arrangements to ensure that detainees have adequate access to medical services, including medication to manage longstanding conditions.**

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.39** Detainees had limited access to the outside world and contact with family and friends. They were not permitted to keep their mobile phones, and replacement phones were not offered. Detainees were offered a free UK and international call, and asked to encourage family and friends to call back on the public telephone available in the holding room. No small change was available to enable detainees to make external calls from the public payphone. Staff told us that additional free calls would be allowed if authorised by Border Force officers but otherwise detainees had to rely on receiving calls. There was no access to email, fax, video calling or social media, or to the internet.

Recommendation

- I.40** Detainees should be able to contact people outside the facility easily by telephone, fax, video calling email and social networks, and should be able access the internet.

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.41** On leaving the facility, detainees were either removed, bailed, transferred to another place of detention or granted leave to enter.
- I.42** Visitors could not visit the facility or deliver property or cash to detainees. Detainees transferring to IRCs were given a small information card about the centre but no information about what to expect when they arrived there. There was a process for checking and returning detainees' property.
- I.43** Staff told us that detainees would only be allowed to log on to the internet to check flights and tickets if authorised, and supervised, by Border Force officers. Additional or replacement clothes were not available and staff did not check whether detainees had any welfare needs on release.

Section 2. Summary of recommendations and good practice

Recommendations

To the Home Office

- 2.1 Border Force officers on night shifts should be able to receive advice from a member of the Safeguarding and Modern Slavery team. (1.12)
- 2.2 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)
- 2.3 Detention should be kept to a minimum period and detainees should not be held for an unreasonable time without access to sleeping and washing facilities, fresh air or natural light. (1.29, repeated recommendation 1.36)

Recommendations

To the Home Office and the facility contractor

- 2.4 Unrelated male and female detainees should routinely be given the option of being located in a separate holding room. (1.14, repeated recommendation 1.11)

Recommendations

To the facility contractor

Safeguarding adults and personal safety

- 2.5 Mitie Care and Custody managers should ensure that detainee custody officers (DCOs) are aware of the potential vulnerabilities of detainees, and of safeguarding mechanisms. (1.13)

Accommodation and facilities

- 2.6 All toilets should be fitted with proper seats and lids. (1.30)

Respectful treatment

- 2.7 DCOs should receive training, which is regularly refreshed, in all aspects of diversity, including mental health, disability and the wide-ranging backgrounds of, and particular issues faced by, detainees in the immigration system. (1.37)
- 2.8 There should be arrangements to ensure that detainees have adequate access to medical services, including medication to manage longstanding conditions. (1.38)

Preparation for removal and release

- 2.9 Detainees should be able to contact people outside the facility easily by telephone, fax, video calling email and social networks, and should be able access the internet. (1.40)

Section 3. Appendices

Appendix I: Inspection team

Colin Carroll	Inspector
Michael Dunkley	Inspector
Frances Russell	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

Escort staff should wear high visibility clothing only when safety rules require it. (1.2)

Not achieved

Initial interviews and telephone calls should be conducted in private. (1.7)

Achieved

Unrelated male and female detainees should routinely be given the option of being located in a separate holding room. (1.11)

Not achieved (recommendation repeated, 1.14)

DCOs should be given annual refresher training in the prevention of suicide and self-harm. (1.13)

Not achieved

Custody staff should open care plans for all adults at risk, as well as children, and these plans should be kept updated and address any safeguarding concerns. (1.17)

Achieved

Tascor should be represented at the fortnightly safeguarding case conferences with Hillingdon social services and disseminate learning points to detainee custody officers. (1.18)

Not achieved

Border Force should communicate child safeguarding concerns to DCOs. (1.24)

Achieved

Responsible adults should be recruited, trained and coordinated independently of the Border Force. (1.25)

Not achieved

Border Force officers should not carry batons inside the facility. (1.28)

Not achieved

Border Force should negotiate with the Legal Aid Agency to offer telephone advice to detainees using an interpretation service similar to that used in its police station telephone immigration advice line. (1.30)

Not achieved

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

Not achieved (recommendation repeated, 1.29)

Detainees should have access to fax machines. Notices explaining this should be displayed in the holding room. (1.31)

Not achieved

Respect

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

Recommendations

There should be a stock of clean clothing in the holding room for female detainees in a range of sizes, including underwear, and all staff should know that women's clothing is available in Cayley House. (1.42)

Not achieved

The rebuild of the facility should be implemented and should address the current poor lighting, ventilation, temperature control and seating arrangements. (1.43)

Not achieved

DCOs and Border Force officers should use professional interpreters to communicate with detainees who do not speak English. (1.49)

Achieved

Formal complaints should be dealt with fairly, investigations should carefully consider the evidence for and against upholding the complaint, and Tascor should contact complainants to discuss their complaint, recording the contact made. (1.52)

Achieved

The facility should provide a suitable range of activities including a wide range of books, magazines and DVDs in English and other languages. (1.55)

Partially 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

All detainees should be able to contact their friends, family and legal representatives. (1.8)

Not achieved

Appendix III: Photographs



Escort van

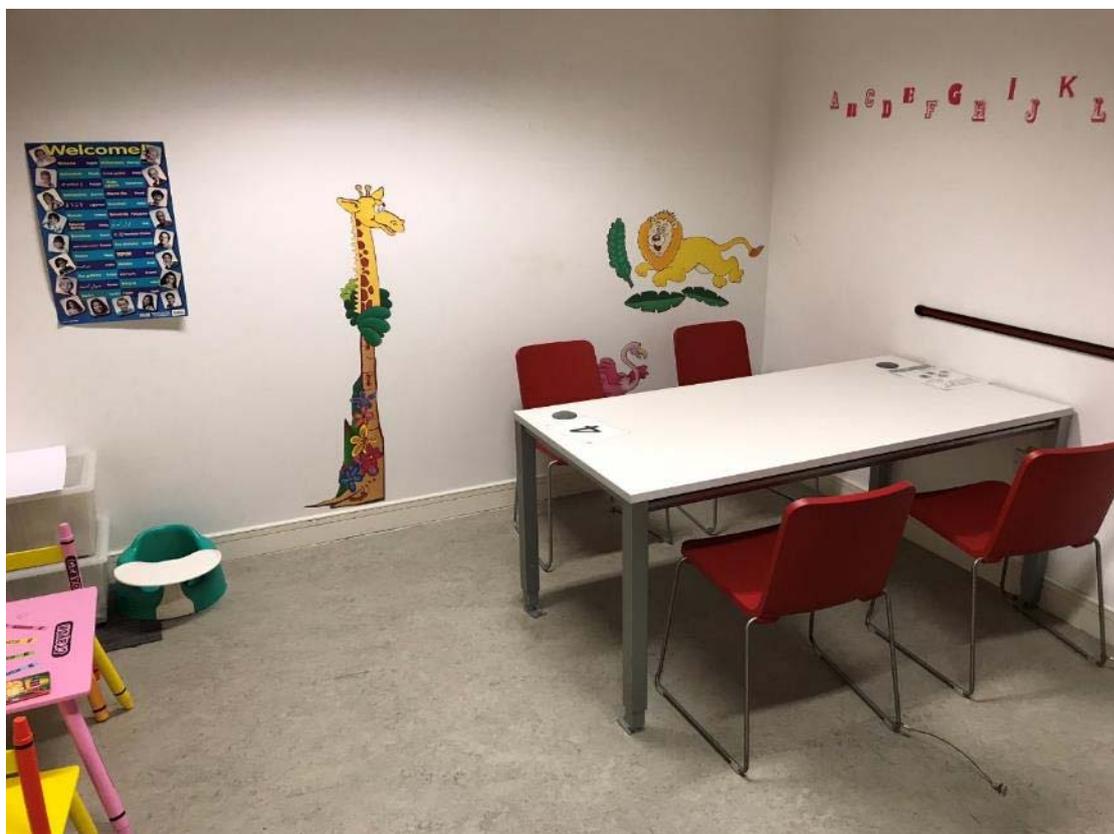


Main holding room





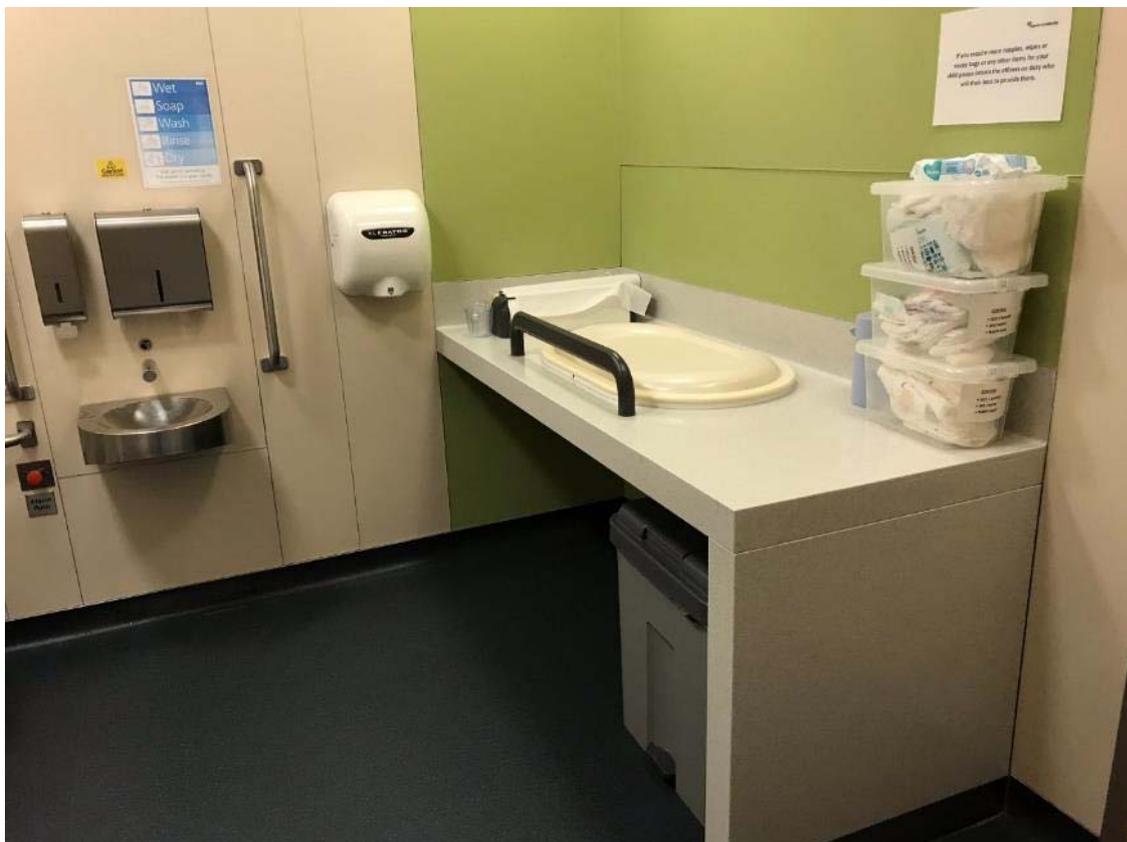
Fold-out mattresses



Child-friendly interview room used by Border Force to interview families with young children



Adapted toilet for detainees with disabilities



Baby change facilities in adapted toilet



Family room