



REPORT
of the
INDEPENDENT MONITORING BOARD
on the
NON-RESIDENTIAL SHORT-TERM HOLDING FACILITIES
at LONDON HEATHROW AIRPORT
for the year
February 2013 to January 2014

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1 INTRODUCTION

1.1 In introducing our Annual Report for 2012/13 we said work on much-needed improvements to the holding rooms at Heathrow was to start “soon”. This is what we had been told by the Home Office. Very regrettably, work did not begin until March 2014, after the end of this reporting year. There is still no firm plan for provision of a new holding room at terminal 4, where it is very badly needed. We hope that the visit to terminal 4 by the Immigration Minister will result in new impetus for this project.

1.2 Sadly, there are other examples of recommendations from the Board being accepted by the Home Office, but not acted on. These include:

- Robust procedures must be in place to ensure that all necessary documents are available when a detainee is to be removed from the country – but removals are still cancelled frequently because correct tickets, passport or other documents are lacking.
- Provision must be made for detainees to be supplied with pain-killers – but it is still not possible for those suffering headaches or other symptoms to obtain relief.
- Passengers should not be detained in the arrivals hall any longer than is needed for the initial examination at the UK Border, not exceeding half an hour – but people regularly come to the holding rooms several hours after first being detained.

Above all, the Home Office accepted in principle that overnight accommodation should be provided for detainees at Heathrow and that there should be more suitable provision for families with children. The scheduled improvements to the holding rooms will not meet these requirements.

1.3 There are other examples of delays to necessary improvements and reforms. The inquest into the death of Jimmy Mubenga heard dispiriting evidence about delays over several years in reviewing approved methods of restraint and having them formally endorsed. There are still no statutory rules for the operation of short-term holding facilities, though these have been under consideration since 2005. Even simple improvements can take a very long time, such as the information leaflet for detainees about to be removed through Heathrow – drafted early in 2013, but still not published.

1.4 The Board urges the Minister to consider why it is so difficult and time-consuming to effect changes that everyone wants to see. In some cases money may be an issue, but there are many where cost is not great and there may even be a saving. Does dealing with immediate operational priorities divert staff away from other initiatives? Are people sufficiently empowered to make improvements?

2 EXECUTIVE SUMMARY

2.1 The holding rooms at Heathrow are not appropriate for detaining people other than for a very short period. They are completely unsuitable for overnight use or for the detention of children. Yet large numbers of people are held overnight and 1,308 children were detained at Heathrow during the reporting period.

2.2 Improvements to the holding rooms are planned, but with no firm proposals for terminal 4, which has the busiest and worst holding room. Even following improvements, the holding rooms will remain unsuitable for overnight use or for holding children.

2.3 Over a quarter of detainees are held for more than eight hours and 15% for more than twelve hours. Asylum-seekers are particularly likely to be detained for a long period. Many people are detained for a significant period in the arrivals hall before being brought to the holding room.

2.4 Many staff care well for detainees, doing the best they can despite the poor accommodation and limited facilities. Unfortunately, this is not consistent and the Board has seen a poor attitude by some officers. Greater management oversight is required. There have also been regular occurrences of inadequate staffing of holding rooms.

2.5 There have been significant stock shortages during the reporting year, including of food and bedding. It has been difficult for some detainees to make phone calls and the availability of independent legal advice is very limited. It is still not possible for detainees to be provided with pain-killers.

2.6 Many detainees have suffered long waits for transport and overnight journeys to and from Heathrow, often unnecessarily so. Journeys between Immigration Removal Centres (“IRC”) and the airport are sometimes indirect and take far too long. Detainees being taken to an IRC to spend the night before removal often have little time there, because of the timing of transport. This is especially a problem when families with children are taken to Tinsley House IRC, which is too far from Heathrow to be of practical value in most cases.

2.7 Good efforts are made by escorts to achieve trouble-free removals, but they often have to deal with problems, such as missing property, that should have been sorted out in advance at the IRC. There are still far too many instances of removals being cancelled because of administrative failings. Some removal flights are indirect and take significantly longer than a direct one would.

2.8 The Board has not observed use of force except when a detainee was resisting removal or had refused to co-operate, but some records of use of handcuffs do not provide adequate justification for this. Some staff are said to be using a control and restraint technique which is no longer authorised. The Board awaits advice from the Home Office on approved methods of restraint after the Independent Advisory Panel on Non-Compliance Management has reported.

3 THE ROLE OF THE INDEPENDENT MONITORING BOARD

3.1 Heathrow Independent Monitoring Board is appointed by the Home Secretary to monitor and report on

- The welfare of people in immigration custody anywhere within the airport, through observation of their treatment and of the premises in which they are held
- The removal of people from the country through the airport.

The Board is required to submit an Annual Report to the Home Secretary.

3.2 The Board needs and has unrestricted access to every detainee and all immigration detention facilities and vehicles within the airport in order to carry out this duty.

3.3 The Board does not yet operate on a statutory basis, but the general principles of independent monitoring, established for prisons and immigration removal centres, are applied.

3.4 Independent Monitoring Boards form part of the United Kingdom's National Preventive Mechanism established in compliance with the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment.

4 ORGANISATION

4.1 Heathrow Airport is owned and managed by Heathrow Airport Limited (“HAL”). In compliance with the Immigration and Asylum Act 1999, HAL provides free of charge such facilities as the Home Secretary may direct as being reasonably necessary for, or in connection with, the operation of immigration control. This includes the holding rooms.

4.2 Passengers arriving at the airport may be detained in the holding rooms on the authority of UK Border Force (“Border Force”) on behalf of the Home Secretary. The holding rooms are the direct responsibility of the Home Office, which specifies the accommodation that HAL is to provide. If a passenger is to be detained at an IRC, the Home Office allocates the place and is responsible for arranging transport.

4.3 Passengers being removed through Heathrow are held in a separate suite of holding rooms, L23, also provided by HAL. The detention and removal of these passengers is authorised by Home Office officials, on behalf of the Home Secretary.

4.4 Operation of the holding rooms and provision of transport, known as ‘escorting’, is contracted by the Home Office to Tascor Limited (“Tascor”), a subsidiary of Capita plc. Tascor employs the Detainee Custody Officers (“DCO”) who staff the holding rooms and escort detainees.

4.5 These arrangements mean that many aspects of detainees’ welfare are the shared responsibility of several parties. This can make it time-consuming to achieve change and appears to be a factor in delays to improvements to the holding rooms.

5 THE DETAINEES

5.1 Passengers detained at the holding rooms in the terminals are mostly those who have been stopped at the border. They include:

- People who need a visa, but do not have one. A significant number are those who do not need a visa for a tourist visit, but are suspected of coming to the UK for other purposes.
- People who have a visa, but checks need to be made, for example with employers, places of education or family being visited.
- Children held for their own protection.
- Asylum seekers.

5.2 The largest national group among those detained on arrival at Heathrow are citizens of the United States of America, followed by those of Pakistan, Nigeria and India.

5.3 People who pass through the holding rooms may be:

- Landed, that is free to enter the UK without restriction
- Temporarily admitted, so allowed to enter the country but subject to further enquiries
- Turned round, so returned to where they came from, without leaving the airport (unless to a nearby IRC for the night)
- Transferred to an IRC and detained there
- Arrested and taken into police custody, for example because of possession of forged documents or for customs offences.

6 THE HOLDING ROOMS

6.1 There is a holding room at each of the four terminals in use and one is being provided at terminal 2A, which is planned to come into service in June 2014. None have any natural light. Furnishing comprises fixed seats and tables and a few loungers. Many of the seats at terminals 3 and 5 are hard plastic. The loungers have become very worn and scruffy. Some have split covers. The loose seats that were chained to the wall in the terminal 3 holding room were removed in September 2013 – six years after the Board first complained about this degrading feature. The rooms are, in essence, waiting rooms, perhaps suitable for holding people for just a few hours. In fact, many detainees are in the holding rooms for much longer, including overnight.

6.2 Separate rooms are provided for families with children, except at terminal 4. The children's space there comprises a corner of the room used to hold female detainees. The rooms for children at the other terminals are accessed via the main holding room. Those at terminals 1 and 3 are particularly small.

6.3 The approximate size and seating capacity of each holding room is:

Room	Size (m ²)	Seats	Loungers
T1 main room	53	25	2
T1 family space	10	8	0
T1 total	63	33	2
T3 main room	62	32	1
T3 family space	9	4	0
T3 total	71	36	1
T4 room (women and children)	27	16	1
T4 room (men)	34	20	1
T4 total	61	36	2
T5 main room	122	76	2
T5 family space	16	11	0
T5 total	138	87	2

6.4 Terminal 4 has the busiest holding room, but it is also the smallest. It can become most unpleasantly crowded – hot, stuffy and with a strong smell of body odour – though it is sometimes cold at night.

- *Thirteen people, including four women, were in the terminal 4 holding rooms overnight. In the male room one person could use the lounger and the other eight men had to share the twenty seats, so there was not enough room for everyone to lie down. Some people had to put up with these crowded conditions for a very long time. Five were present for more than twenty hours.*

The room at terminal 3 can also be hot, stuffy and overcrowded.

- *Six men and three women spent the entire night at terminal 3, with three other men present for part of the night. One of the women slept on the hard plastic seats in the family space. The other two shared the main room with the unrelated men.*

The terminal 5 room can feel cold, especially at night.

6.5 There are separate male and female lavatories and a baby-changing facility at each room. The lavatory cubicles at terminal 5 open directly off the holding room and have large gaps above and below the doors. This is an especially degrading feature – embarrassing for the user and unpleasant for others in the holding room. The Board first complained about this in 2008, before the terminal opened. The lavatory pans at terminal 5 are metal, with fixed, plastic seats.

6.6 Detainees who are brought to Heathrow from IRCs for removal wait for their flights in a suite of holding rooms adjacent to terminal 3. This is named Cayley House, but is often referred to by its HAL building number, L23. Accommodation there comprises:

Room	Size (m²)	Seats	Loungers
Female room	27	14	1
Male room	42	20	1
Quiet room	7	0	2
Family room	16	3	1
Close supervision room	9	6	0
Total	101	43	5

All of the seats and four of the five loungers at L23 are hard plastic. As in the terminals, none of the rooms have any natural light. Male and female showers are provided.

6.7 Following pressure from the Board, it was agreed in 2012 by HAL and the Home Office that the holding rooms would be upgraded. The Board was advised by the Home Office in February 2013 that showers were to be installed and the family rooms improved at terminals 1 and 5 by the end of September 2013. Major improvements to the terminal 3 holding room would be completed by March 2014. At the end of the reporting year, when it should have been nearing completion, work had still not started. Yet it was as long ago as December 2010 that the Board was first told by the Home Office that a shower would be installed at terminal 5. These delays are most regrettable, especially as, in response to our Annual Report published in 2013, the Immigration Minister instructed Home Office officials to drive the planned improvements through more speedily.

6.8 Limited works have been carried out in the holding rooms. The lights in all of the holding rooms can now be dimmed at night. Windows between the main rooms and the family rooms and between the terminal 4 rooms and the adjacent corridor have been made translucent. While this has increased the privacy of the detainees, it has made the rooms feel more oppressive. If the translucent film was not applied to the full height of the windows, there would be adequate privacy while making the rooms less claustrophobic.

- *A boy, 7 years old, preferred to be in the main holding room at terminal 5, because he found the family room “scary”.*

The DCOs can only supervise the family rooms from their office by means of CCTV, rather than direct line of sight, as previously in all but terminal 4. The Board is uncertain whether this will remain the position when the holding rooms are upgraded.

6.9 No further improvements are planned for the terminal 1 holding room, because that is unlikely to see much use after terminal 2A opens in June 2014 and it is expected to close entirely in 2016.

6.10 The Board is greatly concerned that there is still no programme for provision of a new holding room at terminal 4. This is the worst accommodation and the most crowded. A suitable location has been identified for a new holding room and the Board urges that a scheme is implemented without delay.

6.11 On the basis of plans that the Board has been shown, the upgraded rooms at terminals 3 and 5, and the new room at terminal 2A, will include family rooms which are not accessed via the main room and have their own lavatory. Showers will be installed, but the only provision for sleeping will continue to be loungers. This means that the holding rooms will still not be suitable places for people to spend the night.

6.12 Cleaners visit the holding rooms three times daily and cleanliness is generally to a good standard. However, it is impossible to keep the non-slip floors of the showers at L23 clean and they have become badly soiled. There is also some black mould in the male shower. This and regular, unpleasant smells in the L23 lavatories indicate that the space is not adequately ventilated. Detainees sometimes leave holding rooms in an untidy condition, with discarded paper cups, partly-eaten food and paper towels. Some DCOs promptly clear up any mess, but others are content to leave it, even if it is several hours before the cleaners are next due.

6.13 Maintenance of the holding rooms is the responsibility of HAL. The Board has previously reported on showers at L23 being out of use, because of legionella. The male shower was unusable for this reason in August, but staff allowed men to use the female shower while women were excluded. After several years, the raised floor tiles in the terminal 1 holding room, which had been held down by adhesive tape, were finally replaced. The Board first raised this relatively simple problem with the Home Office in 2009.

Recommendations:

- 6A The Home Secretary should ensure that the planned improvements to the holding rooms at terminals 3 and 5 and at L23 proceed without further delay.
- 6B The Home Secretary should work with HAL and other authorities to provide a new holding room at terminal 4 as a matter of urgency.
- 6C Pending closure or rebuilding of the holding rooms, the Home Secretary should ensure that detainees at terminals 1 and 4 have reliable access to a shower.

- 6D Pending provision of improved holding rooms, the Home Secretary should have the translucent film on family room and terminal 4 windows removed above head height.
- 6E The Home Secretary should ensure that DCOs have a clear line of sight to the family rooms at the new and refurbished holding rooms.

7 LENGTH OF DETENTION

7.1 The Board calculates the number of people detained in holding rooms during the reporting year and their length of stay thus:

	0-8 hours	8-12 hours	12-18 hours	18-24 hours	24+ hours	Total
Terminal 1	1,879	342	201	85	20	2,527
Terminal 3	3,911	657	458	307	83	5,416
Terminal 4	4,532	690	538	365	99	6,224
Terminal 5	2,312	451	298	141	21	3,223
Terminals total	12,634	2,140	1,495	898	223	17,390
L23	8,239	273	68	19	0	8,599

There is a 15% increase in the number of people detained at the terminals by comparison with 2012/13, when there was only a slight increase over the figure for 2011/12. The number of people passing through L23 has decreased again. It was 9,455 in 2012/13, so a reduction of 9%.

7.2 The number of people detained for less than eight hours is 73% of the total, which is marginally better than in 2012/13, when the figure was 71%. Although there has been a significant increase in the number of detainees, there has only been a smaller increase in the number held for more than twelve hours. The figure for 2013/14 is 2,616 (15% of the total) and for 2012/13 it was 2,590 (17%). Proportionately, the number held for more than 24 hours is unchanged at 1.3%.

7.3 The main factors affecting length of stay in the terminal holding rooms by people who have just arrived in the UK, are:

- Time taken by Border Force to complete casework and decide what is to happen to a detainee.
- For those to be detained at an IRC, the time taken by the Home Office to allocate accommodation and by Tascor to collect them to go there. Escorting by Tascor, and the impact this has on time in the holding rooms, is considered in Section 12.
- For those seeking asylum, the time taken by the National Asylum Intake Unit to reach a decision as to whether they will be treated as 'detained fast track' ("DFT") or accommodated in the community. They will also have a wait for transport.
- For those being sent back where they came from, the time taken by the Home Office to arrange a flight and how soon it leaves.

7.4 The time taken by Border Force on casework depends on matters including the complexity of an individual's circumstances, the possible need to make contact with third parties, such as employers or family, whether interpretation is needed and other demands. If children or other vulnerable detainees are in the holding room, they receive priority. In most cases a telephone service can be used for translation if there is no officer with the necessary language available.

7.5 If a passenger is refused entry and has to return to their point of embarkation, this can lead to a long wait in the holding room. The airline that brought them to the UK is required to return them and there may not be a frequent service. Anyone detained from late afternoon onwards is most unlikely to be returned before the following day. In cases where an airline has one flight in and out of Heathrow daily, it is very likely that the aircraft will have departed on its return journey before any stopped passengers can be booked on it. Overnight arrangements are reported in Section 9.

Asylum Seekers

7.6 Special considerations apply to asylum-seekers, which can extend their period of detention in a holding room. Essentially, a decision has to be made as to whether an asylum seeker qualifies for the DFT scheme, so should go to an IRC, or whether they need to be accommodated in the community. Although there are clear guidelines as to who should or cannot be dealt with under DFT, Border Force officials at Heathrow are unable to make this decision themselves. All asylum-seekers have to be referred to the National Asylum Intake Unit (“NAIU”). This is closed overnight but the Home Office has informed the Board that Border Force officers may, in certain cases, arrange for asylum-seekers to go to community accommodation. Despite that, the Board has observed many cases where asylum-seekers, including children, have been held for very long periods in the holding rooms.

- *Interviews with an asylum-seeker did not conclude until 22:00, so Border Force said they could not refer the matter for a decision until the following day. The man concerned was in the holding room for a total of 23 hours 55 minutes.*
- *An asylum-seeker who was diabetic was detained at 20:00, but a decision that he was not suitable for DFT was not made until 12:48 next day. There was then a significant delay in collecting him from the airport, so he did not leave until 23:55, after almost 28 hours in the holding room.*

7.7 If an interpreter is needed for an asylum interview, they have to be present in person; the telephone system is not used. This is likely to result in delay while an interpreter comes to the airport.

- *A woman seeking asylum was detained at 23:30 and it was twelve hours before she could be interviewed with an interpreter.*
- *An asylum-seeker who only spoke Albanian was taken to an IRC for the night, but returned to Heathrow next morning. She then had a wait of 7½ hours for her interview.*

Before an asylum-seeker leaves the airport for community accommodation, they have to be checked by the Port Medical Inspector and biometric data needs to be collected.

7.8 Despite this and the need to refer to NAIU, there have been occasions when Border Force has been able to deal with asylum-seekers, particularly vulnerable ones, quickly.

- *A mother and three children sought asylum. The children were temporarily admitted to the care of an uncle after only 45 minutes, though the mother was detained for six hours.*

- *A family of asylum-seekers, including two young children and a grandmother, were temporarily admitted after 5 hours 25 minutes in the holding room.*

Unfortunately, this is not consistently the case, and asylum-seeking children can be held at Heathrow for a long time.

- *A family, with a girl aged 13, was detained at 12:20 but did not leave for community accommodation until almost 15:00 next day.*
- *A family of asylum seekers, with girls aged 3 and 4, was detained for 24 hours 5 minutes before being collected to go to community accommodation.*

The Board has found numerous examples of child asylum-seekers being in a holding room for twelve to fifteen hours.

7.8 Border Force has been making efforts to improve its working relationship with NAIU, in order to obtain speedier decisions. Despite that, asylum seekers would especially benefit from provision of overnight accommodation at Heathrow, and dedicated space for families with children, given that they are particularly likely to be held for long periods.

Detention in the Arrivals Hall

7.9 The Board continues to be very concerned at the length of time a large number of detainees are held in the arrivals hall. In response to a recommendation in our previous Annual Report the Home Office said that *“Border Force staff have to ensure that people are not detained in the arrivals hall for longer than half an hour. They do currently meet this target”*. In fact, Border Force completely fails to meet this target. Passengers regularly arrive at the holding room well over an hour after they were detained in the arrivals hall. There have been instances of people being held for more than three hours before coming to the holding room. The number of people who wait a long time before coming to the holding room is considerable. On one day the Board found 14 people recorded as having between one hour and 2 hours 50 minutes from time of detention at terminal 4 to admission to the holding room there.

7.10 Much of the Board’s evidence for this comes from times recorded on IS91 forms, but we speak with detainees who have been an unusually long time in the arrivals hall, if possible. There are occasions when there is a reason for the delay, such as the passenger having been questioned by customs officers. However, the Board has regularly seen people who have been kept waiting for long periods, without being offered anything to eat or drink, or given details of where to use the lavatory.

- *A woman arrived at Heathrow at 11:25, but her time of detention was not recorded on the IS91. She was admitted to the holding room at 13:50. She said that she had been seated in the arrivals hall for perhaps two hours before coming to the holding room, but had been taken away for a short time for finger printing. She could not recall being offered anything to eat or drink until she was in the holding room.*

- *A man was stopped in the arrivals hall at 14:30, but not admitted to the holding room until 19:05. He said that during that period he was sat in public view. He was hungry and thirsty and had had to ask to use the lavatory. He had found the experience embarrassing and demeaning.*

Recommendations:

- 7A The Home Secretary should ensure that appropriately trained staff are available at all times to decide how asylum-seekers are to be accommodated and Border Force should ensure that their staff are aware of these arrangements.
- 7B The Home Secretary should ensure that asylum seekers are provided with appropriate overnight and family accommodation pending a decision by NAIU.
- 7C Border Force should not detain people in the arrivals hall any longer than is needed for the initial examination at the UK Border, not exceeding half an hour.

8 DETAINEE WELFARE AND FACILITIES

Staff and detainees

8.1 The welfare of detainees in the holding rooms depends very much on the DCOs, who have to make the best of the accommodation and facilities. Some are most attentive to the people in their care.

- *A DCO managed to work out that a detainee who spoke no English was diabetic and required a blood check and insulin, even though the official record showed no healthcare concerns. He let the detainee get the necessary equipment and supplies from her luggage.*
- *A young woman had arrived to visit her boyfriend and was extremely upset to be refused entry. The DCOs offered sympathy and tissues and did their best to comfort the detainee.*

The Board has observed many more examples of good practice than bad, but there are some staff who appear less caring.

- *A DCO who was not busy with anything in particular was slow to deal with a simple request from a detainee and only did so when reminded by the IMB member present.*
- *A DCO told monitors that there were three detainees in the holding room and was unaware, and apparently unconcerned, that there was a fourth present.*

There have been two occasions when a detainee has complained to an IMB member of significant rudeness by a DCO. The Board considers that the standard of care is variable, because management supervision by Tascor of the holding rooms and staff has been limited.

8.2 The Board is pleased to have seen greater respect for detainees from Immigration Officers, with fewer cases of detainees being questioned or given sensitive information in front of others. However, some still treat detainees in a rude or brusque manner.

Staffing

8.3 Tascor is required to ensure that at least two DCOs are on duty in each holding room. A female DCO must be present if a woman or child is detained. In practice, the Board has regularly come across instances of only one DCO being on duty and of just male DCOs responsible for female detainees and children. This means that detainees have to be searched by staff of the opposite gender, which is done by electronic wand, rather than rub down. Most staff work regularly at the same terminal and there is little flexibility in deploying them elsewhere.

- *Two male DCOs were in charge of four women at terminal 3. The manager at L23 said that no female staff were available, but two female trainees were with the DCOs at terminal 5.*

- *A woman had been held under circumstances personally embarrassing to her, which she explained to an IMB member. She had not spoken to the DCOs about this, because they were both men.*

Tascor expects that recruitment of additional staff, who have been trained and will take up duty during 2014, will overcome this problem.

8.4 There are times when holding rooms, especially at terminals 3 and 4, can be very busy and it is difficult for two DCOs to attend properly to all of the detainees. The Board considers that Tascor should be more willing to redeploy staff to assist at such times. When the escorting contract is retendered, the Home Office should consider the maximum number of detainees two people can reasonably supervise and require additional staff to be on duty when this number is exceeded. There might be a lower maximum number to be supervised by two staff if children are present.

Induction

8.5 When detainees arrive at the holding room they should receive a briefing on the facilities available. During the reporting year Tascor introduced a check list, to be completed for each detainee, in an effort to ensure that induction is carried out comprehensively. In practice, this can be rather rushed if the holding room is busy. DCOs are required to check on the welfare of individual detainees hourly. The Board has regularly observed DCOs welcoming detainees into the holding room in a friendly manner and inductions being delivered comprehensively, but this is not always the case.

8.6 Detainees are searched upon arrival at the holding room. Special rooms are provided for this at terminal 5 and L23. At terminal 1 detainees are searched in the entrance lobby and at terminals 3 and 4 in the DCOs' office. Although searches are little different from those that passengers and airport staff may be subject to, they take place in a confined space, often with other people close at hand. The Board is pleased that dedicated search rooms are shown on plans for the new and refurbished holding rooms.

Welfare facilities

8.7 Welfare packs, containing socks, a flannel, soap, comb, toothpaste and brush, are available for issue to detainees. These particularly benefit detainees who have come off a long flight, especially one overnight, or who face a long period of detention. Welfare packs are not always given to people who would appreciate one. Blankets and pillows are also available, but there have been significant problems with supplies. The Board has regularly found that clean pillowcases are not available, and sometimes a shortage of pillows and blankets. There have been cases of detainees being issued with soiled pillow cases. Following a suggestion from the Board, nappies are now stocked at all terminals in small, medium and large sizes, in separate, hygienic plastic containers. However, this is only applying good practice previously introduced by staff at terminal 5 and is something that vigilant management should have acted on unprompted. Tampons and sanitary towels should be freely available in female lavatories, but Tascor managed to run out of these in January 2014. Until a fresh stock was received DCOs would buy these at an airport shop, *if requested by a detainee*. It is disgraceful that women should have to ask for sanitary protection from a complete stranger.

8.8 Many detainees are held after a long-haul flight and may face removal on another lengthy flight. In such circumstances a shower is often very welcome. The response by the Home Office to criticism by the Board that there are no showers in the holding rooms has been that detainees can be taken to L23 for a shower there. In practice, this facility has only been made available to a minority. Many DCOs do not go out of their way to offer showers to detainees and the Board believes that their managers have not encouraged them to do so. Even if a shower is offered, there may not be any staff available to escort a detainee to and from L23. A Tascor manager told the Board that the company is not paid to do this.

- *A detainee said that he would have liked a shower, but was discouraged from taking this up by a DCO who told him that the facility was a long way away. This man was held at terminal 3, only a short distance from the showers at L23.*
- *A woman had been detained overnight and felt dirty, but the DCO said detainees have to be kept in the holding room all the time, in case Border Force requires to interview them.*

The provision of showers at the holding rooms at terminals 2A, 3 and 5 will go some way to overcoming the problem, but Tascor's attitude to the welfare of detainees is unfortunate. The lack of a shower is among the reasons why the provision of a new holding room at terminal 4 is urgently necessary.

8.9 There is no provision for detainees to smoke. Many come from countries where there are no bans on smoking and find this difficult to accept. This is particularly the case with those who have come off a long-haul flight and face the stress of detention. The Board considers that nicotine patches should be available to detainees.

Food and drink

8.10 Detainees can help themselves to apples, oranges, biscuits and crisps which are provided in the holding rooms. These are usually all available, but there have been occasions when DCOs have overlooked to replenish the room or have run out of stock. Sandwiches and hot meals are available on request. The standard of some sandwiches has improved, but the quality of the cheese ones and the ham ones remains poor. The amount of margarine in these is the thinnest possible scrape and the fillings are more like the product of a chemical plant than anything to do with a farm. The hot meals are microwaved, but stored at room temperature. A new range of meals, all rice-based, was introduced in June. Some detainees, particularly from Asia, have been critical of the quality of these. Supplies of hot meals have been erratic so there is often very limited choice. This is unfortunate given the wide range of cultures from which detainees come. There was a particular problem with supplies in autumn 2013, with terminals running out of sandwiches and having little or no choice of hot meals. The limited range of hot meals in stock was still a problem at the end of the reporting year.

8.11 No food suitable for a western-style breakfast is stocked, because Tascor avoids perishable food (other than fruit) and anything that cannot be cooked in a small microwave oven. Tascor considered provision of long-life breakfast packs, including a croissant with a stated shelf life of three months, but this was not taken forward on cost grounds. The croissant tasted of sawdust.

8.12 Drinks are available free of charge from a vending machine. The machines at terminals 1 and 4 and at L23 are in the holding room or detainees have direct access to them. At terminals 3 and 5 the drinks machines are where the DCOs sit, so detainees have to ask if they want a drink other than tap water. The Home Secretary accepted a previous recommendation from the Board that all detainees should have direct access to a drinks machine and we expect this to be provided when the holding rooms at terminals 3 and 5 are refurbished. The quality of the hot drinks could at best be described as “acceptable”. Cold drinks described as “orange” and “tropical fruit” both have the same unpleasant, acidic taste.

Telephones

8.13 The contract between the Home Office and Tascor provides that detainees shall have the opportunity to make a phone call of up to five minutes to anywhere in the world, free of charge. Calls to UK numbers are normally made from a telephone on a desk where the DCOs sit, which does not give detainees any privacy. If a detainee wishes to make a call to an overseas number they have to use the payphone in the holding room. Tascor has provided phone cards which are meant to allow a five minutes call, irrespective of the charging rate. There have been significant problems with this arrangement. DCOs were only providing cards to detainees who appeared not to be able to pay for a call, apparently on instructions from management. This was a “means test” without any criteria and contrary to the contractual requirement. Tascor limited the number of cards issued to holding rooms. Following pressure from the Board, staff were more willing to offer cards towards the end of the reporting year. However, there were problems with their validity, calls to certain countries not being possible. These included Nigeria, which a significant number of detainees wish to call. There were instances of cards giving a call of much less than five minutes. Instructions on use of the cards are provided only in English and in order to make a call a detainee has to respond to audible prompts in English. The Board has observed DCOs helping detainees, particularly those who do not understand English, to make calls using the cards. The Board considers that the card system is unreliable and over-complicated. It would be preferable to allow overseas calls from a telephone, with a privacy hood, in the DCO’s office. These areas are under CCTV surveillance, which should protect against abuse of the facility.

Independent advice

8.14 Detainees have little or no opportunity to obtain independent advice as to their situation. Posters in the holding rooms give details of a legal help line, but no provider offers a 24/7 service. There is no source of advice available by phone overnight or between Saturday lunchtime and Monday morning. No written information concerning immigration law and rights of appeal is provided in the holding rooms.

- *A passenger refused entry to the UK wanted to obtain legal advice on Sunday morning, because he was to be removed later in the day. The only option available to him was to call a family member in another country, to see if she could obtain assistance.*

Both the Board and HM Inspector of Prisons have recommended that detainees should have access to the internet, as a source of independent advice, but this has been rejected by the Home Office, on the grounds that it would “*be a risk to the integrity of the Border Control and impact on the resolution of cases*”. In other words, Border Force finds it helpful to keep detainees in ignorance of

their rights. This cannot be a proper way for a public body to exercise its considerable influence over people's lives. Detainees' rights need to be respected and the best way to do this is to ensure that they are aware of them. If a detainee is being validly excluded from the UK, it may help Border Force if an independent adviser confirms this to them.

8.15 Internet access would also benefit detainees who need to use electronic records to demonstrate to Border Force that they have the means to support themselves in the UK, that they have accommodation booked and a return ticket. People increasingly use electronic records for these purposes and may not have paper evidence with them.

Recommendations:

- 8A Tascor should ensure, through greater managerial supervision, that induction and welfare checks are always undertaken and that there is consistently good engagement between DCOs and detainees.
- 8B Tascor should provide additional staff when a holding room is particularly busy.
- 8C The Home Secretary should specify in future contracts the maximum number of detainees who can be supervised by two DCOs.
- 8D Tascor should provide nicotine patches for detainees.
- 8E The Home Secretary should ensure that detainees have unrestricted access to a drinks machine at all holding rooms.
- 8F Tascor should ensure that all detainees are themselves able to make a free of charge phone call of five minutes without difficulty.
- 8G The Home Secretary should make provision for detainees to have independent legal advice at all times.
- 8H The Home Secretary should provide facilities to allow detainees to access electronic records relevant to their wish to enter the United Kingdom.

9 OVERNIGHT ARRANGEMENTS

9.1 The holding rooms, even when upgraded, are not suitable for overnight use. There are only a few loungers and not everyone is comfortable sleeping on one. Many people prefer to sleep across seats, even if a lounger is available. The accommodation at terminal 4 is not fit for daytime use and is a degrading place in which to sleep. In response to our previous Annual Report the Home Secretary accepted in principle that overnight accommodation, including beds and showers, should be provided airside at Heathrow. However, the Immigration Minister informed the Board in August 2013 that an overnight facility will not be developed. The Board much regrets this, for the need is patent.

9.2 People may be held overnight at Heathrow for a variety of reasons:

- Enquiries by Border Force are still underway. This particularly affects those who are detained from late afternoon onwards. Border Force may wish to contact people, such as employers or tutors, who may not be available until next morning.
- A person is not to be admitted to the UK and has to return whence they came, but the next available flight is not until the following day.
- People are being removed from the country on early morning flights, so are brought to Heathrow during the night.
- Asylum seekers waiting for their case to be referred to and considered by NAIU.

All of these would benefit from overnight accommodation, airside at Heathrow. This is particularly the case with vulnerable passengers, such as children and elderly people.

9.3 People who are leaving next day or whose casework is unlikely to be completed quickly may be moved to a nearby IRC, usually Colnbrook, for the night. However, this is not satisfactory. Colnbrook is designed like a prison and overnighters are likely to be accommodated with a stranger in a very small, cell-like room. This is not an appropriate way to treat somebody who may be guilty of nothing more than misunderstanding immigration requirements and having the wrong paperwork. Furthermore, people may not be moved promptly to Colnbrook and those leaving on morning flights are likely to be returned to Heathrow very early in the morning.

- *A woman was held from 17:45 and was to leave on a flight next day at 13:45. She was collected to go to Colnbrook at 02:00 and was taken there via another terminal, to pick up another passenger. Arrival at Colnbrook was at 03:15 and she was picked up for return to the airport at 08:40. Allowing for reception and discharge procedures at Colnbrook, she can have had very little sleep.*
- *Another woman was detained at 18:55 and was to leave on a flight at 12:00 next day. She left for Colnbrook at 02:00 and arrived there at 03:00. She was collected for return to Heathrow only 3½ hours later.*
- *A man was detained at 21:35, but was not moved to Harmondsworth IRC until 19:10 next day. He can have had very little time there before being collected at 01:45 to return to the*

airport for a flight at 09:15. This passenger, therefore, had a night and a day in the holding room followed by a night in transit.

Lack of space at Colnbrook and Harmondsworth sometimes results in detainees being moved much further for the night, including to Brook House and Dover IRCs.

9.4 If a detainee can be moved to an IRC for the night, they are meant to be offered the option of staying in the holding room. It should be explained to them that there may be a wait before they are collected, what the accommodation at the IRC is like and when they are likely to be returned to the airport. If the detainee decides to stay in the holding room they sign a disclaimer form, acknowledging that they have been offered accommodation elsewhere. Only a small number of forms are completed relative to the number of people who do spend the night at Heathrow. The Board is not convinced that the options are adequately explained to detainees.

Recommendation:

9A The Home Secretary should procure that overnight accommodation, including beds and showers, is provided airside at Heathrow.

10 CHILDREN

10.1 1,308 children were detained at Heathrow during the year under review, thus:

	Unaccompanied children	Families with children	Number of children with families	Total number of children
Terminal 1	40	100	151	191
Terminal 3	21	187	322	343
Terminal 4	67	262	440	507
Terminal 5	44	138	208	252
L23	0	9	15	15
Total	172	696	1,136	1,308

More children were held at terminal 4 than any other, by a significant margin. Yet terminal 4 has the worst provision for children and is a completely unsuitable place for them to be held.

10.2 It is unfortunate that children are detained at ports. If an adult in charge of a child is detained, the child has to be held with them. Sometimes children are detained for their own protection. Significant child abuse could be expected if anyone in charge of a child was automatically allowed into the UK.

Accommodation

10.3 The existing accommodation for children is far from suitable. Plans provided to the Board show that even when improvements have been undertaken at terminals 3 and 5, the space for children will be quite small. The room at terminal 3 will be 31 m² and that at terminal 5 will be 37 m². The family room at terminal 2A will be only 26 m² and much longer than it is wide. This leaves little room for play or for anything other than sedentary pastimes. There is no access to the open air.

10.4 The accommodation at terminal 4 comprises a corner of a claustrophobic and stuffy room of 27 m², where unrelated adults are also detained. Border Force accepted in principle a recommendation in our previous Annual Report that children should not be detained at terminal 4. Border Force said that *“the Children and Family Progression checklist used by Border Force staff emphasises that the most conducive environment for accommodating the family at Heathrow should be chosen and the families/children moved as necessary. All options for accommodating families and children at Heathrow are considered by Border Force Staff. Where possible, they can be moved”*. Despite these fine words, the Board is not aware of any family being moved from terminal 4 to another holding room – except when all detainees had to be transferred to terminal 5 overnight to allow alterations to the lighting. A good example of a family who should have been moved, if this policy was of any effect, were parents with children aged three, six and eight, who sought asylum. They were stateless and spoke very limited English, so it should have been obvious that it would take some time to consider their case. Yet they remained in the terminal 4 holding room for twelve hours.

Passing the time

10.5 Good provision is made for very young children, with baby food, nappies and changing facilities available. Books are suitable for the very young. Older children are less well provided for, though some improvements have been made. A wii has been installed in each holding room and some jigsaws and card games have been provided. Very little use is made of DVDs, because detainees hope to be held for a short period and certainly not long enough to view a cinema film. Children are able to retain their own electronic devices, subject to them not including a camera, which can help to pass the time. Teenagers have said that they would particularly appreciate age-appropriate magazines to read.

Transfers to Tinsley House

10.6 Families with children are sometimes moved to Tinsley House IRC, near Gatwick Airport, if they are likely to be detained for a long period. The time it can take to await transport and to get them there and back rarely makes this an acceptable option.

- *A mother and three children, aged 2, 4 and 7, were detained at 18:45. They left for Tinsley House at 02:45 and arrived there at 04:32. They were to be removed on a flight from Heathrow at 16:20, so were collected from Tinsley House at 11:50. The mother said that it had been possible to have just two hours' sleep there.*
- *A family with children aged 5, 8 and 10, were detained at 20:10 and spent the night in the holding room. They left for Tinsley House at 07:25, but were back at Heathrow at 15:10 for a flight out. They can have had no more than three hours at Tinsley House.*
- *Mother and daughter, age 15, were detained at 18:50 and left for Tinsley House at 00:45. They arrived there at 02:14 and departed for Heathrow 5½ hours later, at 07:45. They were back at the airport at 10:10 for a flight at 14:05.*

Such moves through the night, to gain only a few hours in bed, are a disgraceful way to treat children. Much greater priority needs to be given to provision of family accommodation airside at Heathrow.

Engagement with children

10.7 Although staff have to work in completely inappropriate accommodation, they generally look after children well. Both Border Force and Tascor have well-developed policies and practices for the care and protection of children. DCOs are required to check on children every quarter hour. For each child Tascor should establish a Child Care Plan, but this is not always done. The holding rooms have not always been adequately staffed to allow plans to be implemented properly.

- *A girl was admitted to a holding room at 11:35, but a Child Care Plan was not opened until there was a change of staff at 18:00.*

- *The Child Care Plan for a boy aged 14, travelling on his own, required a DCO to check on him every 15 minutes. This was not happening, because there was only one officer in the holding room.*

Activity Packs are provided for children, but some DCOs do not always remember to issue them. However, the Board has observed DCOs and Immigration Officers being very caring of children.

- *A DCO and an Immigration Officer were very attentive to a tired and distressed girl, ten years' old. This included using the telephone interpretation service to explain to her what was happening and to try to comfort her.*
- *An asylum-seeker, aged 16 and travelling alone, was frightened and tearful. His Immigration Officer dealt with him in a kindly manner and both of the DCOs provided reassurance.*

10.8 Border Force has the objective of prioritising casework involving children. However, this does not prevent some young people being detained for a very long time, for example:

- *A family, including a boy five years old, was detained in the terminal 4 arrivals hall at 10:48, but not admitted to the holding room until 12:40. The father was not interviewed by Border Force until 15:20 and it was a further five hours before they were temporarily admitted. This was on a day when the holding room was particularly busy, so an extremely unsuitable place for a child to be held.*
- *A mother and her son, two years' old, were detained in the terminal 4 holding room from 14:00 until 05:35 next morning. An early flight out meant that they would have particularly benefitted from proper overnight accommodation at the airport. Detention of this very young boy at terminal 4 for 15½ hours is contrary to Border Force's stated aim of moving children to "the most conducive environment".*

This contrasts with regular instances of families with children being detained for only an hour or two.

Potential child-abuse

10.9 Border Force staff are trained to recognise potential child-abuse or abduction cases and do good work in protecting vulnerable children.

- *A man with three very young children was stopped in the arrivals hall. He was arrested and returned to his point of origin, to face kidnapping charges. The children were transferred to Social Services for the night, pending travel home to their mother.*
- *A girl aged 18 months arrived in the care of a woman who was a friend of her mother. Border Force were concerned that the child was to stay with an uncle who lived alone and went out to work. The girl was cared for by Social Services until she could be returned home with the assistance of her embassy.*

Social Services

10.10 It is also pleasing to note cases of London Borough of Hillingdon Social Services being much more prompt in collecting children from Heathrow, though some long waits still occur.

- *A boy, travelling with a man claiming to be his uncle, was to be cared for by Social Services while checks were made. The social worker arrived in little over an hour.*
- *An unaccompanied girl was in the holding room for just 65 minutes before leaving with a social worker.*

It is very likely that this improvement stems from work Border Force has done to develop a closer working relationship with social workers at Hillingdon.

10.11 There are instances of children being taken into the care of Social Services while inquiries are being made about the adults with them. This can be very distressing for a child who is travelling with or meeting a known and trusted person. There are cases where it would be better for the child and carer to be held at the airport under supervision pending a decision, but that requires suitable accommodation to be available, which is not presently the case.

Removal of children

10.12 One of the most difficult, and sometimes distressing, operations at Heathrow is the removal of children from the country. Plans for removal of children have to be considered by the Independent Family Returns Panel and may involve accommodating the family at the Cedars "Pre-Departure Accommodation" near Gatwick Airport. However, children are sometimes subjected to long and stressful journeys, under circumstances which make it difficult to believe that their well-being is the first priority.

- *A mother had refused to leave the country voluntarily. She and her two children, aged 4 and 6, were arrested in Glasgow early in the morning and taken to the Reporting Centre there. They were flown to Heathrow in the middle of the day and spent five hours at L23 before leaving on a long-haul, overnight flight. The mother was unco-operative throughout and had to be handcuffed and carried onto the aircraft at both Glasgow and Heathrow. The dignity and stoicism of such young children was remarkable and the DCOs accompanying them could not have been more caring. However, the children should not have been subjected to such a long journey under such stressful circumstances without a break.*
- *A mother and daughter, 15 years old, were arrested near Newcastle-upon-Tyne and transported overnight by road to Heathrow. They then had a long and indirect journey, flying out early in the morning and reaching their eventual destination in the evening of the following day. This was an extremely arduous journey for an adult and even worse for a child.*

The Board questions whether removing children in this way is compliant with Section 55 of the Borders, Citizenship and Immigration Act 2009. The Parliamentary Under Secretary of State for Criminal Information recently acknowledged that the Act *requires the Home Office to have regard to*

*the need to safeguard and promote the welfare of children who are in the UK*¹. The Board considers that when children have to be returned on long-haul flights, this should not be immediately preceded by a long or overnight journey to Heathrow. Proper overnight accommodation at Heathrow, with particular provision for families, would enable this.

10.13 The Home Office has told the Board that such removals are “approved” by the Independent Family Returns Panel, but the Panel has informed us that it gives “advice” to the Home Office, not approval. The Board understands that, in giving advice, the Panel takes account of the resources and facilities available to the Home Office. It does not recommend removal plans that cannot currently be delivered. The Board considers that the Independent Family Returns Panel should not be constrained in the advice that it gives to the Home Office. When responding to removal plans, its advice should include details of its preferred option, even if the Home Office is currently unable to deliver this. That should avoid any risk of a removal plan being regarded as satisfactory if it is only what is immediately practicable.

Recommendations:

- 10A Border Force should not detain children at Terminal 4.
- 10B Tascor should ensure that Child Protection Plans are unfailingly drawn up and implemented.
- 10C The Home Secretary should procure that dedicated accommodation for children, separate from that for unrelated adults, with beds and access to an external play area, is provided at Heathrow.
- 10D The Independent Family Returns Panel should give advice to the Home Office that includes its preferred option for removal of children, even if this is not deliverable from current resources.

¹ House of Lords Hansard, 10 February 2014, column 525

11 REMOVALS

11.1 There are four categories of removal through Heathrow:

- Passengers are sent back to their point of origin, having been refused entry to the UK. They are detained in the terminal holding room before being escorted to the aircraft by DCOs, and leave unaccompanied.
- Detainees are brought from an IRC to L23, are escorted from there to the aircraft by DCOs and leave unaccompanied.
- Detainees are escorted on flights by DCOs known as 'Overseas Escorts'. In most cases these are taken direct to the aircraft and only go to L23 if the flight is significantly delayed. These are detainees who are risk-assessed as potentially unco-operative or a threat to others.
- Foreign-national prisoners travelling to their home-country to complete their sentence are brought to the airport by Prison Officers, who accompany them on the flight if officials from the receiving country are not doing so. Foreign-national prisoners who have completed their sentence are removed in the same way as detainees held at IRCs, accompanied or unaccompanied as appropriate.

Unescorted removals

11.2 Detainees who are leaving unaccompanied are escorted from the holding room to the aircraft by DCOs based at L23. Those being turned back at the border are almost always co-operative. Before detainees who have been at an IRC are taken from L23 to the departure terminal, the DCOs talk with them, to explain what will happen and to judge how co-operative they will be. If a detainee indicates that he or she will resist removal, it is explained that this is likely to result in escorted removal later, but they are not forced to go immediately. This makes use of force in the terminal buildings unusual. The Board has observed no such instances during the reporting year.

11.3 Arrangements for checking in and waiting for the flight depend on the design of the terminal building and the requirements of the airline. Where possible, detainees are seated away from and out of sight of other passengers. Subject to timely arrival at the gate, they are usually boarded first. However, at some locations detainees have to wait with the other passengers or in sight of them. The DCOs wear uniform and high visibility jackets, which draw attention to them and to the detainee. This can make detainees the subject of public curiosity and is contrary to the requirement in the Home Office's contract with Tascor that detainees are "*exposed as little as possible to public observation and proper care is taken to protect them from curiosity, insult and physical or verbal abuse*". Some of the uniform clothing provided to Tascor staff is quite militaristic and includes epaulettes marked 'Detainee Custody Officer'. DCOs are also provided with some less formal clothing, which is just marked with the company name. Some DCOs remove their high visibility jackets when inside the terminal building, but most do not. The Board considers it to be unnecessary and inappropriate for high visibility jackets to be worn in public areas inside terminal buildings and that DCOs should wear the less formal uniform clothing when escorting detainees in public.

11.4 During boardings observed by IMB members, DCOs have been friendly and helpful to detainees.

- *A mother and baby had been refused entry to the UK and were being sent back after eleven hours in detention. The mother was very tired and had a lot of luggage. The DCOs were extremely sympathetic and helped look after the baby in a very caring manner.*

Escorted removals

11.5 Overseas Escorts, accompany higher-risk detainees on flights from the UK. They travel on both scheduled flights and Home Office charter flights, though there have been no charters from Heathrow for several years. The Overseas Escorts collect a detainee from an IRC and they remain with him or her until arrival in the destination country. While travelling to the airport and waiting for the flight, the Overseas Escorts try to develop a rapport with the detainee, in order gain their co-operation. The Board has regularly observed friendly conversations under way between Overseas Escorts and detainees.

11.6 Detainees are transported by minibus and may spend a long time in it at Heathrow awaiting the flight. Detainees are only taken to wait inside the terminal building if they can be accommodated away from other passengers and boarded at the front of the aircraft. Little provision is made for their welfare in the minibus. A cool bag of food, such as filled rolls, is provided and escorts may supplement that with refreshments that they purchase. If a detainee wishes to use a lavatory while waiting, they are usually taken to one for staff who work on the tarmac at terminal 4. This is an extremely unpleasant facility, which is poorly lit and usually both dirty and smelly, with a wet floor.

11.7 In many cases detainees are boarded by means of external steps at the rear of the aircraft. Even if a detainee has been entirely co-operative it is standard procedure for Overseas Escorts to hold them by each arm during boarding. The Escorts usually explain that they have to do this, but there are cases where an entirely compliant detainee objects to being held and ceases to co-operate. The Board repeats its previous recommendation that detainees should only be held when boarding the aircraft if this is justified by an individual risk assessment.

11.8 It appears to be standard procedure for foreign national prisoners who have committed serious crimes to be escorted on homeward flights. The Board questions whether this is always necessary. Many former prisoners are very happy to return to their own country and are entirely co-operative, but significant time and cost is spent in escorting them on the flight home. If British they would have been released onto the street and could have used public transport unescorted. The Board considers that there should be an individual risk assessment as to whether a foreign national prisoner needs to be escorted on the flight or not.

11.9 Overseas Escorts often take action to overcome problems that detainees have, in order to ensure a successful removal, with little or no trouble. Detainees may use a Tascor mobile phone to make calls. They may be issued with emergency funds for onward travel. Sometimes Overseas Escorts are called on to deal with issues that should have been dealt with at the IRC.

- *Escorts took a detainee to a Tascor depot at Heston so he could send a fax from there, because he said he had been unable to do so at Colnbrook IRC.*

11.10 Use of force against detainees during boarding is considered in Section 13.

HM Prison Service removals

11.11 When a foreign-national prisoner is to complete his sentence in his own country, he is first transferred to HMP Wandsworth. Officers there are trained and accredited to take prisoners airside at Heathrow, where they are received by officials from the receiving country. These arrangements appear to work well, but the vehicles used to convey prisoners from Wandsworth to Heathrow do not have internal CCTV, like those operated by Tascor.

Problems with removals

11.12 The Board is greatly concerned by the number of removals which fail for administrative reasons. This is a long-standing problem. It may be because the detainee's passport or other travel document is not available and is still with the Home Office or Prison Service. There can be other problems with documents, including that they have expired or contain errors that are not noticed soon enough. The Board came across a detainee whose departure was delayed, because no arrangements had been made for her to transit a third country en route. Sometimes there are problems with bookings, so there is no valid ticket for the detainee or the ticket is missing. Some airlines require advance notice of a removal and Tascor sometimes does not give this in time. Failures such as these are distressing to detainees who want to return to their own country. They are also very wasteful of public money and staff time. A second travel ticket may have to be purchased, Tascor needs to be paid for further moves and the detainee has to be accommodated for longer at an IRC.

11.13 Detention of a person for immigration purposes is authorised by form IS91. This includes a record of where a detainee is held and when they are in transit. The Board has continued to observe entries being made on IS91 forms in anticipation of future events. This particularly happens at L23 and in the terminal holding rooms when a detainee is expected to be leaving for a flight. The IS91 needs to remain a contemporary record of where the detainee is and it is always possible for a flight to be delayed or a removal to be cancelled.

11.14 Removals are often delayed or made more difficult because detainees do not have all of their possessions. In such circumstances detainees may be unwilling to leave and resist what would otherwise be a problem-free departure. In cases where people who have been living in the community are detained at a Home Office Reporting Centre, they are not given the opportunity to return home to collect possessions. They have to rely on friends or charities to help sort out their affairs and collect property. The Board regularly comes across detainees who have not been able to recover property. Detainees frequently arrive at L23 having been told elsewhere that they can receive luggage from friends at the airport. This is not possible under current arrangements. A leaflet was drafted early in 2013 describing the arrangements at Heathrow for those being removed, specifically saying that property could not be received there. This was to be issued to people with their removal directions, but has still not been brought into use. The Board urges that the leaflet is introduced without delay. Detainees should also have the opportunity to collect property, under escort if necessary.

11.15 Property problems can be made worse by officials in prisons and IRCs inappropriately fobbing off people rather than trying to resolve their problems.

- *A man had his false teeth taken from him by the police when he was arrested. He asked at the IRC to have them back and was told that he should raise the problem at Heathrow before departure. There was nothing that anyone at the airport could do to locate and obtain the man's false teeth, as the IRC staff should have realised.*

11.16 Some detainees suffer indirect journeys, so are a long time in transit, even though direct flights are available from Heathrow. Some moves are remarkably circuitous.

- *A family, including four children aged between two and fourteen, was being removed under escort to Brussels, but was booked via Copenhagen. It is hard to believe that any consideration was given to the welfare of the children by whoever arranged the flights or that there would have been any cost saving, given that Tascor would have to be paid for the extra travelling time of the ten escorts and the medic.*
- *A man was escorted to Shanghai via Kuala Lumpur, taking 24 hours, whereas a direct flight from London is 11 hours.*

It may be necessary for detainees and escorts to wait many hours at the intermediate airport, but sometimes there are problems with connections because the first flight is delayed. Some airlines are not willing to allow detainees on their flights. An example of the consequences of this is that people being removed to Pakistan are usually routed via Doha. The Board understands that the cost of flights is an issue, with the Home Office looking for the cheapest tickets. However, if removals take longer than necessary, the Overseas Escorts can undertake fewer of them while Tascor gets paid by the hour for their time.

11.17 Many detainees suffer night journeys to the airport because they have been booked on an early morning flight. This is not necessary in the case of those flying to other parts of Europe or nearby. They could reach their destination on a later flight, having spent the night in bed.

Recommendations:

- 11A Tascor should arrange for staff escorting detainees in a public place to wear the less formal uniform clothing and instruct them to remove high-visibility jackets when inside terminal buildings.
- 11B The Home Secretary should have robust procedures in place to ensure that all necessary documents are available and flights are booked correctly when a detainee is to be removed from the country.
- 11C The Home Secretary and Tascor should use individual risk assessments to determine whether or not individual detainees need to be held when boarding aircraft, with an assumption that this will not normally be necessary.

- 11D The Home Secretary should give greater priority to a prisoner's willingness to return to his home country than to the nature of his crime when determining whether he needs to be escorted on the flight.
- 11E The Home Secretary should ensure that detainees are able to have all of their property with them at the prison or IRC before being removed.
- 11F The Home Secretary should arrange for the Heathrow removal facilities leaflet to be published and to be issued and explained to detainees with their removal directions.
- 11G The Home Secretary should review flight booking policy to ensure that all removal costs are properly taken into account, as well as detainee welfare.
- 11H The National Offender Management Service should use CCTV to monitor the interior of non-cellular vehicles used to transport prisoners.

12 TRANSPORT

12.1 Detainees are moved to and from Heathrow mostly by Tascor, as directed by the Home Office. The contract between Tascor and the Home Office provides, in effect, that:

- Detainees shall not arrive at the airport more than three hours before an interview is scheduled or five hours before a removal flight;
- When a detainee is to be transported to an IRC, they should be collected not more than three hours after receiving the movement order from the Home Office.

There may be a wait of longer than three hours after it has been decided by Border Force that a person should go to an IRC. The Home Office has to allocate accommodation and issue a movement order to Tascor.

12.2 Detainees are normally conveyed in Ford Transit minibuses. Adaptations to the vehicles include a solid, transparent screen between the front seats and the rear ones, a luggage cage to the rear and internal CCTV. The screen separates detainees from the driver. Overseas escorts sometimes use minibuses without an internal screen. The vehicles are usually well-maintained and clean, but the Board has seen ones in use with litter inside. Families with children are usually conveyed in a hired coach. Those used are normally of good standard, with a lavatory and a facility for serving hot drinks. Vehicles used by the Prison Service to convey serving prisoners to Heathrow are caged internally, but those used by Tascor are not.

12.3 Only specially trained crews and accredited vehicles may operate airside at Heathrow. The airside DCOs transport detainees directly to and from Colnbrook and Harmondsworth IRCs. Otherwise, detainees transfer between airside and other staff and vehicles at a Tascor depot at Heston. This depot is not a location at which people may legally be detained. Detainees may only pass through in transit, for transfer between vehicles and, if required, use of a lavatory. In fact, detainees can spend some time there.

- *A woman and her baby en route to a flight were at Heston for almost three hours. Despite there being a dedicated room at L23 for families with children, the escorts thought it more suitable for them to be at Heston, where there are no facilities for detainees.*
- *A detainee en route from Brook House IRC had what Tascor described as a "comfort stop" at Heston of an hour.*

12.4 It is all too common for detainees to arrive at Heathrow well over five hours before a flight or three hours before an interview. This happens particularly when Tascor decides to bring several passengers together, so they have to meet the schedule for the earliest departure.

- *Seven women from Yarl's Wood IRC arrived at L23 at 00:50, five for a flight at 06:20 and two for one at 10:05. All were more than five hours before departure, but two had a wait of over nine hours.*

- *A man was collected from Brook House at 01:55 and arrived at terminal 3 at 04:00 for an interview scheduled for 10:00. He was brought to the airport so early, because Tascor was bringing another detainee for an early morning flight.*
- *Two detainees arrived at L23 from Brook House at 03:50, one for a flight at 06:40 and the other at 12:00. The man on the second flight could have had a full night in bed, before a timely journey to Heathrow.*

Sometimes there is not even this justification for an excessively early arrival and a long wait at Heathrow.

- *A woman was collected from Yarl's Wood at 07:15 and arrived at L23 at 11:15 for a flight at 21:00. Tascor told the Board that due to a heavy workload this was the only way to ensure passengers arrived on time.*
- *A man was collected from Dover IRC at 00:45 and arrived at L23 at 03:30 for a flight at 12:30. Tascor did not have a crew available to transport him from Dover during the morning, so had done so through the night.*
- *A man was collected from Brook House at 22:15 and arrived at L23 at 03:35 for a flight at 11:50. Tascor said that the early collection was because of resources available and detainees were collected from Colnbrook and Harmondsworth en route.*

12.5 It is also frequently the case that there is a long delay before a detainee is collected from Heathrow.

- *A movement order was issued at 20:34 for a detainee to go to Harmondsworth so he should have been collected no later than 23:34. Tascor did not pick him up until 09:20 next morning, after he had had to spend the night in the holding room.*

A significant number of detainees are collected by Tascor between midnight and 02:00, when they could have been taken to an IRC in time for a full night in bed. However, if transport to an IRC is requested late in the evening, it is quite likely that the detainee will not be collected until the next morning.

12.6 Some detainees have been in the holding room for more than 24 hours, because Tascor did not collect them in a timely manner.

- *A detainee who had been in the holding room all night was to be moved to Harmondsworth IRC. It was six hours from issue of the movement order before Tascor collected him, so he was in the holding room for 25½ hours.*
- *A man had been in the holding room for just over 20½ hours when a movement order was issued to Tascor. By the time he was collected he had been detained in the room for 24 hours 50 minutes.*

12.7 Some journeys to and from Heathrow take an excessive time for the distance. In some cases, this is because the same vehicle and crew are used for several pick-ups. Journeys from Dover IRC, in particular, may be lengthy, because other detainees are picked up at Brook House and/or Tinsley House on the way.

- *A detainee was collected from Dover at 20:30 but did not reach L23 until 02:50, apparently having been via Brook House and Harmondsworth IRCs.*
- *A detainee was to be interviewed at Heathrow at 09:00. He was collected from Brook House IRC, about 40 miles away, at 02:55, but did not arrive until 07:00.*

12.8 The Home Office often arranges for detainees from distant IRCs or prisons to be transferred to Colnbrook or Harmondsworth a day or two before removal, particularly if the flight is in the morning. However, Tascor sometimes leaves the journey until late in the day, so the detainee has only a short time between arrival at the IRC and having to leave for the airport. Allowing for the time required to book in and out, this can leave little or no opportunity for sleep.

- *A detainee was collected from Morton Hall IRC, Lincolnshire at 21:30 and arrived at Harmondsworth at 00:45. He was picked up to go to the airport at 05:10.*
- *A detainee was collected from Pennine House STHF at 21:00 and arrived at Colnbrook at 02:35. He was there for just 3 hours 40 minutes before being taken to Heathrow.*

12.9 Sometimes, detainees have extremely long journeys, with only short comfort breaks en route.

- *A detainee left Dungavel IRC, in Scotland, at 15:35, arrived at Colnbrook at 01:15 and was collected to go to Heathrow at 06:00.*

12.10 Late collections sometimes result in flights being missed, or nearly so.

- *A prisoner was collected late from HMP Stoke Heath, so the van reached the stand only fifteen minutes before the flight was due to leave. The man was only able to go on it because he agreed to leave his luggage to be security- checked and sent on a flight next day.*

12.11 There are moves which happen in a timely way, but there are many which do not. The Board's overall impression is that Tascor's arrangements for transporting detainees are under-resourced and badly organised.

- *A man was collected from HMP Dovegate, Staffordshire, at 11:35. He was then taken north, because the escorts were picking up another prisoner from HMP Wymott, near Preston. Eventual arrival at Colnbrook was not until midnight, but he was collected to go to the airport at 02:15. On the same day another prisoner was being transported from HMP Glen Parva, near Leicester, to Harmondsworth for removal the following day. It is difficult to understand why the Dovegate move was not combined with this, rather than sending the man on a much longer and indirect journey via Preston.*

- *A man was collected from HMP Durham in the afternoon, the day before his flight from Heathrow. Having got most of the way to Leeds the escorts had to turn round to go to HMP Northumberland, at Morpeth, to pick up another man. The journey from Morpeth to Colnbrook was not direct, but via Manchester for a crew change. Arrival at Colnbrook was at 03:15.*
- *A man was collected from Dover IRC at 20:00 for a flight from Heathrow at 08:00 next morning. His journey was via two London police stations and then Tinsley House IRC, picking up and setting down other detainees. This extremely indirect journey to Heathrow took over seven hours.*

Tascor has said that recruitment will result in better performance in 2014.

12.12 Asylum-seekers being taken to community accommodation are transported from Heathrow by a separate company, Clearel. They use un-modified mini-buses of good quality and have scheduled pick-ups, three times a day. However, collections are sometimes missed, resulting in asylum-seekers being held for longer than necessary at Heathrow.

- *An asylum-seeker who had been detained during the morning was to go to community accommodation. For unexplained reasons, Clearel did not make an evening pick-up, so he was in the holding room overnight.*
- *An asylum-seeker who had been detained at 23:00 was to go to community accommodation and should have been collected early in the afternoon. He was picked up at 18:50.*

Clearel are also contracted to make special collections, which is required if a vulnerable person will have a long wait for the next scheduled pick-up. Unfortunately, use is not always made of this facility, because Border Force staff are unaware of it or overlook the possibility.

Recommendations:

- 12A The Home Secretary should ensure that contracts for the transport of detainees adequately motivate the contractor to meet the performance specification.
- 12B The Home Secretary should order moves and Tascor should execute them so that journeys during the night are only undertaken when absolutely unavoidable.
- 12C Tascor should ensure that it is adequately resourced and organised to provide transport for detainees in a timely manner, particularly:
- Indirect journeys, leading to excessive journey time, should be avoided.
 - Detainees being moved to Colnbrook or Harmondsworth prior to a next-day removal from Heathrow, should arrive there at least twelve hours in advance of departure to the airport and no later than 22:00.

13 USE OF FORCE

13.1 It is very unusual for force to have to be used against detainees who are in the holding rooms or who are being taken to a flight for unescorted removal. However, “control and restraint” techniques are used on a regular basis against people who are to be removed under escort. This happens when the passenger resists boarding the aircraft or refuses to co-operate.

13.2 Detainees being removed may be handcuffed in anticipation of problems or for security reasons. This is usually because the passenger has been disruptive during a previous, failed removal, or because they have said they will not co-operate. Such cases are recorded on a “Passive Handcuff Report”, a Tascor form which includes justification for use of handcuffs. The Board has seen forms where the reasons given for use of handcuffs were not convincing and when the length of time they were applied was not clear. It may be that there was justification, but the form did not demonstrate this. In one case, not observed by the Board but noted from a Passive Handcuff Report, handcuffs were applied to a detainee who was described in other records as in “weak physical condition” as a result of being on hunger strike. Even though the man had refused to co-operate, it was difficult to justify use of handcuffs on the basis of available records.

- *A detainee who spoke little English was handcuffed because the Overseas Escorts said he had refused to go unless given money. When it was possible for him to see a DCO who spoke his language it became clear that his concern was that he did not have a ticket to travel from the destination airport to his home. After the Senior Escort said that he could arrange an onward ticket, the man became entirely co-operative. The Overseas Escorts had attempted to communicate with the man earlier via a telephone translation service, but if his concerns had been addressed sooner, ideally at the IRC, it would not have been necessary to handcuff him.*

The Board has observed cases of Overseas Escorts doing their best to avoid use of handcuffs.

- *A detainee became very agitated in the terminal building, but the Overseas Escorts explained very patiently that they were required to take him on the flight. They told him that they would use handcuffs if they had to, but succeeded in calming the man so this was not necessary.*

13.3 The Board has not observed any detainee being injured through use of handcuffs, which are applied quite loosely. Sometimes, skin around the wrists is reddened. Detainees are almost always handcuffed with their hands to the front. The Board has observed one occasion when a detainee was handcuffed with his hands to the rear. This was to allow the Overseas Escorts to examine his mouth, because they suspected him of having a razor blade in it.

13.4 The Board has observed detainees being carried onto aircraft and restrained in an aircraft seat, because they were resisting removal. In such cases, Overseas Escorts have been careful to restrain the passenger back in the seat and to prevent them from self-harming. In one case observed by the Board a detainee had his legs restrained and was carried onto the aircraft because he had not agreed to co-operate.

13.5 The Board has not observed or seen records of any use of force that imposed an unacceptable level of risk to a detainee. However, an Overseas Escort has advised that they still use the “nose distraction” technique. This comprises administering a sharp blow under the nose, in an effort to gain control of a detainee. This is not an approved method and should not be used.

Recommendations:

- 13A Tascor should ensure that the Passive Handcuff Report records where and when handcuffs are applied and removed.
- 13B Tascor should ensure that passive handcuffs are only used when essential and the reasons are fully stated on the Passive Handcuff Report.
- 13C Tascor and the Home Office should ensure that only approved methods of control and restraint are used against detainees.

14 HEALTHCARE

14.1 Detainees are allowed to take medication that they have with them. This is subject to the medicine being clearly labelled, it being held by the DCOs and to them phoning a medical help line to confirm that the detainee may have it.

14.2 Paramedics who patrol the airport are summoned if a detainee is ill, but they are not able to provide medication. If there is any doubt as to a detainee's condition they are taken to hospital.

14.3 If a detainee suffers from a headache, period pains or similar condition, and does not have any medication in their luggage, there is nothing that the DCOs can do to help, other than offering tea and sympathy.

14.4 The Home Secretary accepted a recommendation from the Board's previous Annual Report that provision must be made for detainees to be provided with pain-killers. This has not been implemented and there appears to be an impasse between Tascor and the Home Office. The Board understands that Tascor will not agree to its staff giving a pain-killer, such as aspirin, to a detainee, in case of an adverse reaction. The Board questions whether there has been an appropriate risk assessment, balancing the benefit to the majority against the small risk to a minority. A multi-lingual disclaimer document that described the medication might be used.

14.5 The Board is pleased to note that medical information recorded on IS91 forms is generally more appropriate than previously. If a detainee needs to take medication, this should be stated, but details should not be given of why this is necessary. This practice is generally followed by Border Force, but the Board has noted occasional exceptions.

Recommendation:

14A The Home Secretary and Tascor should make provision for detainees to be supplied with non-prescription pain-killers.

15 DIVERSITY

15.1 DCOs have received diversity training and are generally aware of the particular requirements of major religions and cultures.

15.2 A reasonable effort is made to provide a range of food that meets different cultural and dietary requirements, but not entirely successfully. The range of sandwiches is adequate to meet most needs, subject to the full range being in stock, though the bread is unfamiliar to many. There is often a very limited choice of hot meals for detainees who do not eat rice. Kosher meals are stocked only at terminal 1, which is used by El Al, but can be supplied to other holding rooms on demand. All meat in other hot meals is halal, so is not acceptable to detainees who reject the practice on animal welfare grounds.

15.3 Copies of the Bible and the Quran are available in the holding rooms, but they are not always stored respectfully and appropriately. Prayer mats are also provided. It is not possible to tell within the holding rooms whether it is day or night. During Ramadan a calendar is displayed indicating the times of sunrise and sunset. Dates are provided for detainees breaking their fast. A qibla arrow or compass in each of the rooms indicates the direction of Mecca. There are religions which require observance of sunrise and sunset throughout the year, so these times should always be posted. Some religions require ritual washing before prayer. This is very difficult when only small hand basins are available. The installation of showers in some holding rooms should assist in meeting this requirement.

15.4 DCOs are respectful of detainees' sexuality. Transexual detainees and those in the process of gender re-assignment are treated as male or female according to their own wishes, even if this differs from the sex stated in their passport.

Recommendations:

15A Tascor should provide non-halal meat for those who require it.

15B Tascor should post the time of sunset and sunrise in holding rooms throughout the year.

16 SAFER CUSTODY

16.1 The welfare of detainees who are considered to be at risk of self-harm while at an IRC is managed through the Assessment, Care in Detention & Teamwork (“ACDT”) system. This requires careful observation, record-keeping and case reviews. If a detainee is first detected as being at risk of self-harm while in Tascor’s care, their welfare is monitored through a more simple Self Harm Warning Form. The Board has not observed any use of the Self Harm Warning Form during the period under review, nor any cases where one should have been used but was not.

16.2 There are cases of detainees at risk of self-harm being brought to the airport for removal. The numbers are quite small, so the Board has seen only a few.

- *Overseas Escorts were removing a man with an open ACDT and were very caring of him. Observations were recorded regularly. The Escorts had had prior knowledge that the man was at risk of self-harm.*
- *The removal of a woman at risk of self-harm was carefully planned and she was accompanied by four escorts and a medic.*

16.3 There have been a number of cases of detainees who have been at risk of self-harm arriving at Heathrow for removal, with no up to date case review or even clarity as to whether the ACDT record had been closed.

- *A woman came from Yarl’s Wood for removal. She had had an open ACDT file there, but the records were unclear as to whether it had been closed.*
- *Another woman from Yarl’s Wood had been refusing food. Her ACDT record showed that she had resumed eating, but was due for a case review on the day of her removal.*
- *A man who had been at HMP Peterborough was being removed. He had self-harmed while there, but his ACCT file (equivalent to ACDT) was not provided to the escorts.*

If DCOs are to look after detainees appropriately there should be a case review at the prison or IRC not more than 24 hours prior to removal, so that an appropriate care plan can be put in place. It would be desirable for Tascor to be represented at the case review, so that issues relevant to the removal can be considered. There should certainly be no ambiguity as to whether a detainee is still considered to be at risk of self-harm.

Recommendation:

16A The Home Secretary should ensure that if a detainee has an open ACDT a case review is conducted at the IRC not more than 24 hours before removal and that Tascor attends this if possible.

17 DEATH IN DETENTION

17.1 A detainee, Jimmy Mubenga, died on 12 October 2010 while being removed through Heathrow by G4S, the previous escorting contractor. An inquest into his death was held in summer 2013. The Coroner's jury found that Mr Mubenga had been unlawfully killed.

17.2 The IMB had not observed the removal of Mr Mubenga and was not called to give evidence. Members of the Board attended the inquest to hear the evidence of people who were working for G4S and the UK Border Agency in 2010 and of current Home Office staff. The IMB was cited in evidence as a safeguard against inappropriate treatment of detainees.

17.3 The Coroner recommended that Home Office and Ministry of Justice "*give clear instruction and guidance to independent monitors on any new use of force policy and approved methods of restraint and ensure that they are aware of the standards imposed by them*". The Board welcomes this recommendation, but understands that the Home Office will not be in a position to provide such instruction and guidance before the second half of 2014, after the Independent Advisory Panel on Non-Compliance Management has reported. Meantime, the Board is obtaining its own independent advice, which will be shared with other Independent Monitoring Boards.

18 COMPLAINTS

18.1 The Home Office copies to the Board its responses to formal complaints from detainees at Heathrow. During the reporting year, the Board received just three responses. The Board is not able independently to confirm how many formal complaints are made, but this is a very low number relative to the number of people detained and removed at Heathrow.

18.2 Two of the complaints related to alleged assaults by escorts during attempted removals and one concerned lost property. Neither of the assault complaints was upheld. The Home Office stated that in both cases there was CCTV evidence to corroborate evidence from escorts that use of force had been necessary and that approved methods had been used. However, in one case the CCTV coverage was not continuous, because of an electrical fault in a van. In both cases the Home Office cited medical evidence which did not support the complaints of excessive and unauthorised use of force. It was not possible to come to a definite conclusion about the loss of property claim, but on the basis that there had been a number of errors in official records, the Home Office agreed to compensate the detainee.

18.3 It is not practical for the Board to deal with complaints in the way that IMBs in IRCs and prisons do. This is because detainees are held for hours, rather than weeks, so the vast majority cannot be seen by an IMB member. The Board has established an email address that detainees can use to provide feedback. This is publicised in the holding rooms in seventeen different languages. Take-up by detainees has been minimal.

18.4 Detainees may be reluctant to make complaints, whether to the Home Office or to the IMB, because they fear this will prejudice further dealings with the UK authorities.

- *A businessman being removed said he would not lodge a complaint because he was concerned it would be held against him when he applied for a visa to visit the UK.*

Although the independence of the IMB is stressed, it appears that some detainees have difficulty in accepting that this really is the case.

Recommendation:

18A Tascor should ensure that CCTV and audio equipment in vans functions properly at all times.

19 THE WORK OF THE BOARD

19.1 Most weeks two members of the Board visit Heathrow on separate days. One inspects the holding rooms and talks with detainees there. The other observes people being removed. Reports of these visits are circulated to the Home Office, Border Force and Tascor and the Board appreciates feedback it receives from them on issues raised.

19.2 A member of the Board attends the Pan-Heathrow Detention meeting, a bimonthly liaison meeting also attended by Border Force, the Home Office and Tascor. A Board member also attends the Detainee Welfare Forum which is convened by Tascor bimonthly.

19.3 A member of the Board monitored a Home Office charter flight in summer 2013, removing detainees to Nigeria and Ghana. This was part of the experimental monitoring of charter flights agreed by the IMB National Council at the request of the Home Secretary.

19.4 Two members of the Board resigned during the reporting year. Another retired from the Board at the end of 2013, under the new rules which limit tenure to 15 years. The Heathrow Board was established in 2007, but several members have been on other Boards previously. Three more will be obliged to retire by the end of 2015, with significant loss of experience.

19.5 Two new members were recruited in 2013 and further recruitment is planned in 2014.

19.6 Meetings and visits attended:

Number of Board members at start of reporting period	9
Number of Board members at end of reporting period	8
Number of Board meetings during reporting period	12
Average number of attendees	7
Number of visits to Heathrow	106
Number of attendances at inquest	14
Number of attendances at meetings elsewhere	11

SUMMARY OF RECOMMENDATIONS

Recommendations to the Home Secretary

- 6A The Home Secretary should ensure that the planned improvements to the holding rooms at terminals 3 and 5 and at L23 proceed without further delay.
- 6B The Home Secretary should work with HAL and other authorities to provide a new holding room at terminal 4 as a matter of urgency.
- 6C Pending closure or rebuilding of the holding rooms, the Home Secretary should ensure that detainees at terminals 1 and 4 have reliable access to a shower.
- 6D Pending provision of improved holding rooms, the Home Secretary should have the translucent film on family room and terminal 4 windows removed above head height.
- 6E The Home Secretary should ensure that DCOs have a clear line of sight to the family rooms at the new and refurbished holding rooms.
- 7B The Home Secretary should ensure that asylum seekers are provided with appropriate overnight and family accommodation pending a decision by NAIU.
- 8C The Home Secretary should specify in future contracts the maximum number of detainees who can be supervised by two DCOs.
- 8E The Home Secretary should ensure that detainees have unrestricted access to a drinks machine at all holding rooms.
- 8G The Home Secretary should make provision for detainees to have independent legal advice at all times.
- 8H The Home Secretary should provide facilities to allow detainees to access electronic records relevant to their wish to enter the United Kingdom.
- 9A The Home Secretary should procure that overnight accommodation, including beds and showers, is provided airside at Heathrow.
- 10C The Home Secretary should procure that dedicated accommodation for children, separate from that for unrelated adults, with beds and access to an external play area, is provided at Heathrow.
- 11B The Home Secretary should have robust procedures in place to ensure that all necessary documents are available and flights are booked correctly when a detainee is to be removed from the country.
- 11D The Home Secretary should give greater priority to a prisoner's willingness to return to his home country than to the nature of his crime when determining whether he needs to be escorted on the flight.

- 11E The Home Secretary should ensure that detainees are able to have all of their property with them at the prison or IRC before being removed.
- 11F The Home Secretary should arrange for the Heathrow removal facilities leaflet to be published and to be issued and explained to detainees with their removal directions.
- 11G The Home Secretary should review flight booking policy to ensure that all removal costs are properly taken into account, as well as detainee welfare.
- 12A The Home Secretary should ensure that contracts for the transport of detainees adequately motivate the contractor to meet the performance specification.
- 12B The Home Secretary should order moves and Tascor should execute them so that journeys during the night are only undertaken when absolutely unavoidable.
- 16A The Home Secretary should ensure that if a detainee has an open ACDT a case review is conducted at the IRC not more than 24 hours before removal and that Tascor attends this if possible.

Recommendation to the Home Secretary and Border Force

- 7A The Home Secretary should ensure that appropriately trained staff are available at all times to decide how asylum-seekers are to be accommodated and Border Force should ensure that their staff are aware of these arrangements.

Recommendations to Border Force

- 7C Border Force should not detain people in the arrivals hall any longer than is needed for the initial examination at the UK Border, not exceeding half an hour.
- 10A Border Force should not detain children at Terminal 4.

Recommendations to the Home Secretary and Tascor

- 11C The Home Secretary and Tascor should use individual risk assessments to determine whether or not individual detainees need to be held when boarding aircraft, with an assumption that this will not normally be necessary.
- 13C Tascor and the Home Office should ensure that only approved methods of control and restraint are used against detainees.
- 14A The Home Secretary and Tascor should make provision for detainees to be supplied with non-prescription pain-killers.

Recommendations to Tascor

- 8A Tascor should ensure, through greater managerial supervision, that induction and welfare checks are always undertaken and that there is consistently good engagement between DCOs and detainees.
- 8B Tascor should provide additional staff when a holding room is particularly busy.

- 8D Tascor should provide nicotine patches for detainees.
- 8F Tascor should ensure that all detainees are themselves able to make a free of charge phone call of five minutes without difficulty.
- 10B Tascor should ensure that Child Protection Plans are unfailingly drawn up and implemented.
- 11A Tascor should arrange for staff escorting detainees in a public place to wear the less formal uniform clothing and instruct them to remove high-visibility jackets when inside terminal buildings.
- 12C Tascor should ensure that it is adequately resourced and organised to provide transport for detainees in a timely manner, particularly:
- Indirect journeys, leading to excessive journey time, should be avoided.
 - Detainees being moved to Colnbrook or Harmondsworth prior to a next-day removal from Heathrow, should arrive there at least twelve hours in advance of departure to the airport and no later than 22:00.
- 13A Tascor should ensure that the Passive Handcuff Report records where and when handcuffs are applied and removed.
- 13B Tascor should ensure that passive handcuffs are only used when essential and the reasons are fully stated on the Passive Handcuff Report.
- 15A Tascor should provide non-halal meat for those who require it.
- 15B Tascor should post the time of sunset and sunrise in holding rooms throughout the year.
- 18A Tascor should ensure that CCTV and audio equipment in vans functions properly at all times.

Recommendation to the National Offender Management Service

- 11H The National Offender Management Service should use CCTV to monitor the interior of non-cellular vehicles used to transport prisoners.

Recommendation to the Independent Family Returns Panel

- 10D The Independent Family Returns Panel should give advice to the Home Office that includes its preferred option for removal of children, even if this is not deliverable from current resources.

ABBREVIATIONS

ACDT	Assessment, Care in Detention & Teamwork (<i>a system of caring for detainees at risk of self-harm</i>)
DCO	Detainee Custody Officer
DFT	Detained Fast Track (<i>a system for dealing with certain asylum claims</i>)
HAL	Heathrow Airport Limited (<i>the owners of Heathrow Airport</i>)
IRC	Immigration Removal Centre
IS91	A Home Office form that authorises detention
L23	Cayley House, the holding facility for detainees coming from IRCs for removal
NAIU	National Asylum Intake Unit (<i>a Home Office department</i>)
STHF	Short-term holding facility