



REPORT
of the
INDEPENDENT MONITORING BOARD
on the
NON-RESIDENTIAL SHORT-TERM HOLDING FACILITIES
at LONDON HEATHROW AIRPORT
for the year
February 2014 to January 2015

CONTENTS

1	Introduction	3
2	Executive summary	4
3	The role of the Independent Monitoring Board	5
4	The holding rooms	6
5	Length of detention	9
6	Detainee welfare and facilities	12
7	Overnight arrangements	16
8	Children	17
9	Removals	20
10	Transport	22
11	Use of force	24
12	Healthcare	25
13	Diversity	26
14	Safer custody	27
15	Complaints	28
16	The work of the Board	30
	Summary of Recommendations	31
	Appendix	33
	Abbreviations	36

1 INTRODUCTION

1.1 This report expresses many of the same concerns about the lack of progress in making the necessary improvements to the facilities for holding detainees at the airport that we have reported on in 2012, 2013 and 2014, to the unfortunate extent that sometimes readers may believe they are just re-reading the previous documents.

1.2 The Board remains particularly concerned about:

- The unsuitability of the holding rooms for accommodating detainees overnight
- The slow start to rebuilding and refurbishing the holding room at Terminal 4, which is the worst facility. We commented on this in 2013 and 2014, yet work had still not started by the end of the reporting period
- The total unsuitability of all the holding rooms for detaining children and families beyond a very brief period
- The long waits suffered by many detainees after they have been brought to the airport for removal, or when they are to be taken from Heathrow to an immigration removal centre.

1.3 More positively the Board has seen many examples of good interaction between detention staff and the men, women and children in their custody. Our monitoring of overseas escorted boardings has shown these being carried out to an acceptable standard, sometimes in difficult circumstances with detainees who are resisting removal. We also value our relationship with Home Office and Tascor staff at Heathrow, including their willingness to provide answers to the many questions we may put to them after a monitoring visit.

1.4 The report makes a total of 28 recommendations to the Home Secretary or to Tascor. We would urge them all to be given careful consideration. It is our wish that we should not have to re-state them in our 2015-2016 report.

1.5 Details of operation of the holding rooms, the detainees and why they are held will be found in the appendix on page 32.

1.6 During the period under review the Colnbrook and Harmondsworth Immigration Removal Centres were combined as 'Heathrow IRC'. References in this report to Heathrow IRC are to a completely different place which is monitored by another Independent Monitoring Board.

2 EXECUTIVE SUMMARY

2.1 Most of the holding rooms still fail to provide acceptable accommodation for detainees. None are suitable for an overnight stay. The considerable delay, of several years, in undertaking agreed improvements is deplorable. The new Terminal 2 holding room is better than the others, but a significant number of snags had to be corrected. There can be a long delay before any repairs are undertaken to the holding rooms.

2.2 Over a quarter of detainees are held for more than eight hours, with asylum-seekers being particularly at risk of a long period in a holding room. Some detainees are held for several hours in the arrivals hall before being admitted to the holding room and this period of detention is not included in official statistics.

2.3 Tascor and Border Force staff are usually caring and sympathetic to detainees, but the Board is not confident that holding room inductions and welfare checks are always carried out to a satisfactory standard. Detainees are not always able to make a free of charge phone call themselves and they have little or no opportunity to obtain independent advice.

2.4 For part of the period under review, the supply of food, pillows and blankets to detainees was unreliable.

2.5 Tascor and Border Force staff are usually very attentive to children, but the holding rooms, even if improved, are not suitable for holding minors. Arrangements for transferring children to Tinsley House are rarely acceptable, with time in transit sometimes exceeding the time spent at the IRC.

2.6 Removal of detainees, whether escorted or unescorted, is generally undertaken in a satisfactory manner, with use of force being unnecessary in most cases. The new control and restraint methods have been introduced well.

2.7 Provision of transport to and from the airport by Tascor has been completely unacceptable, with excessively early arrivals, long waits for collection and indirect journeys. In some cases this has been because Tascor has not had enough staff and vehicles available.

2.8 The Board has not received any formal complaints from detainees and is aware of only a small number to the Home Office.

3 THE ROLE OF THE INDEPENDENT MONITORING BOARD

3.1 Heathrow Airport 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 THE HOLDING ROOMS

4.1 **The Board is greatly concerned at the considerable delay in achieving improvements to the holding rooms that the Home Office and Heathrow Airport Limited (“HAL”) have agreed are necessary and have committed to provide. The rate of progress has been deplorable, despite Parliamentary interest and pressure from the Board.**

4.2 There is a holding room at each of the five terminals and a further one, Cayley House, to accommodate detainees who are brought to the airport for removal. The Board has described the unacceptable and degrading features of the holding rooms in detail in previous reports. Those at Terminals 1, 3 and 4 are too small. Only at Cayley House and at the recently-opened Terminal 2 is there a shower. Elsewhere the only washing facility is hand basins. Heating and ventilation are poor and there is no natural light. The family rooms at Terminals 1 and 3 are very small and there is no separate accommodation for children at Terminal 4. The lavatory cubicles at Terminal 5 open directly off the holding room, with large gaps above and below the doors.

4.3 The Home Office agreed in 2010 that a shower should be installed at Terminal 5, but this did not progress, because BAA (as HAL was then known) was not happy with the design. The Board was told by the Home Office in 2011 that a shower was soon to be installed at Terminal 1 and that quotes were being obtained to put them in at Terminals 3 and 4. A privacy screen was to be installed in front of the lavatories at Terminal 5. In fact no work took place.

4.4 Following publication of our Annual Report in 2012, BAA accepted the need for improvements. The Home Office submitted to them a list of the work that was required. This included full refurbishment and expansion of the holding rooms at Terminals 3 and 4, provision of a shower at all holding rooms and larger family rooms. The Board was told that work at Terminals 1 and 5 would be completed by September 2013 and at Terminal 3 by March 2014. There was a problem at Terminal 4, because space for expansion could not be identified. The Home Office hoped that work would start on site in autumn 2012, but this did not happen.

4.5 The Board was informed by the Home Office in June 2013 that there was still no agreed date for work to start. HAL was intending to charge the cost of the work to the airlines and was still in negotiation with them. It was no longer intended to provide a shower at Terminal 1, because the holding room would be closing in a few years' time.

4.6 The Board expressed concern about the delay in our Annual Report published in 2013. In response to this the Immigration Minister replied *that the completion date for the works required is April 2015. Preparatory work will complete this financial year, with building work to commence from April 2014.* At the beginning of 2014 the Board was given an outline programme for the work, running from March to October that year. Space had been identified for a larger holding room at Terminal 4, but it was still in use for other purposes. Between March and May some alterations were made at Cayley House, on which we comment in paragraph 4.9, but thereafter work stopped.

4.7 In response to our Annual Report published in 2014, the Home Office said that *plans are signed off for T3 and T5 with a planned completion date currently of December 2014. The upgrade and expansion of the Terminal 4 Holding Room depends on securing additional space.* The Board was

told in September that the start date had slipped again and work was to take place at Terminals 3 and 5 between October 2014 and February 2015. The design of the new holding room at Terminal 4 was being firmed up.

4.8 An essential part of the work is providing temporary facilities to be used while the holding rooms are being upgraded. Space identified for this purpose was used from autumn 2014 for Ebola screening, which prevented work starting. At the end of our reporting period work at Terminals 3, 4 and 5 had still not begun. The Home Office was in discussion with Public Health England as to when the necessary space could be made available.

4.9 The work at Cayley House comprised refitting the holding rooms and reallocating the space used by men and by women. Following the work, men are accommodated in quite a small room which is significantly longer than it is wide. Many more men are held at Cayley House than women and it is rare for children to be present. Just 13 children were at Cayley House during the twelve months under review, representing 0.2% of all detainees held there. While better provision for children is welcome, it is most unfortunate that this is at the expense of the majority of detainees. No improvements were made to the lavatories and showers, which have become rather soiled. Brown mould has developed on the non-slip shower floors and cannot be cleaned off. There is often an unpleasant, musty smell in the lavatories and showers.

4.10 There are some good features to the new Terminal 2 holding room, particularly provision of a shower, the family room having its own lavatory and not being accessed through the main holding room. However, some features are unsatisfactory. When shown drawings the Board commented on the relatively small size of the family room and changes were made so that it could be bigger. However, work had already started on site, so a legacy of this change is an obtrusive column in the room. That was to have been the door jamb. Although a few loungers are available, the majority of seats in the main holding room are hard plastic so are not suitable for sleeping on. Lavatory pans are stainless steel without a separate seat. The drinks machine is in the office used by the Detainee Custody Officers ("DCO"), so detainees do not have access to it and have to ask if they want to drink anything other than water. This is despite the Home Office accepting a previous IMB recommendation that detainees should have unrestricted access to a drinks machine, as is the case at Terminals 1 and 4 and at Cayley House.

4.11 There were problems with completion and commissioning of the Terminal 2 holding room. The door frame to the shower cubicle was a ligature point, so door and frame had to be removed. A replacement door, to acceptable design, had still not been fitted by the end of the reporting period. The shower floor was not levelled properly, so there was always a puddle of water which did not drain away. A drinking fountain in the family room had sharp metal edges at a height where a small child could cut its head. At first the DCOs were unable to control the heating in the room. They can now do so, but because they have no control over the air-conditioning the accommodation, particularly the family room, can be cold. Other problems, now overcome, included the CCTV system not working properly and the television in the family room and the water fountains not working at all.

4.12 There have been problems with facilities at some of the terminals and the time it can take for repairs to be undertaken. The drinks machines are increasingly unreliable. That at Terminal 5 was out of use throughout March 2014. The machines at Cayley House were replaced in December

after several months when only one was working. Not for the first time, there was a legionella outbreak at Cayley House in May, putting the showers out of use. One of the lavatory cubicles at Cayley House was out of use for over three months because water was leaking from the pan. When the microwave oven failed at Terminal 5 it took a month to replace it.

4.13 The Board considers that the considerable delay to achieving improvements to the holding rooms and the difficulties in getting repairs undertaken promptly would not be so serious if the Home Office's contract monitoring team included a professional engineer or building surveyor who would be better able to engage with HAL and contractors on technical matters, and would not be diverted onto other issues. The Board has previously been informed that the staff can draw on support from Home Office experts, but considers that the delays to work, the range of defects at Terminal 2 and the excessive time it can take for repairs to be undertaken demonstrate the inadequacy of this approach.

Recommendations:

4A The Home Secretary should ensure that the agreed improvements to the holding rooms are provided without further delay.

4B The Home Secretary should be more vigorous in pressing HAL to undertake repairs.

4C The Home Secretary should consider whether there is appropriate and adequate resource within the contract monitoring team to secure improvements and repairs to an acceptable standard and in a timely manner.

5 LENGTH OF DETENTION

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

	0-8 hours	8-12 hours	12-18 hours	18-24 hours	24+ hours	Total
Terminal 1	1,436	232	141	75	17	1,901
Terminal 2	1,008	170	113	50	14	1,355
Terminal 3	3,342	535	343	240	44	4,504
Terminal 4	4,710	749	485	340	93	6,377
Terminal 5	2,485	534	296	189	47	3,551
Terminals total	12,981	2,220	1,378	894	215	17,688
Cayley House	6,479	157	60	11	2	6,709

The figures above relate only to how long detainees are in the holding room. As noted in paragraph 5.9, people can be detained in the arrivals hall for a significant period before coming to the holding room, so in some cases the period in detention is materially longer. There is also some double-counting of people, because when Terminal 2 first opened detainees were moved to Terminal 1 after just a short time there. Therefore, the same person would be counted at both terminals. Relatively few people were involved, so this is not thought to make a material difference to the data.

5.2 The number of people detained for less than eight hours is 73% of the total, which is the same as in the previous year. There is a welcome drop in the number held for more than 12 hours from 17% to 13%. The number held for more than 24 hours is unchanged at 1.3%.

5.3 The main factors affecting length of stay in the terminal holding rooms by passengers 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 10.
- 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', so go to an IRC, or are to be 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 with carriers and how soon it leaves.

5.4 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 and whether interpretation is needed. Immigration officers may be diverted from casework to staffing desks in the arrivals hall. There is a key performance indicator for waiting times in the arrivals hall, but not for completing casework. 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.

5.5 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 7.

Asylum-seekers

5.6 There are special procedures for dealing with asylum-seekers, which tend to result in them being held for a longer time than other detainees. In most cases Border Force officials at Heathrow decide what is to happen to people who are stopped at the border. Decisions on asylum-seekers have to be referred to the National Asylum Intake Unit ("NAIU"), which is closed overnight. Accommodation can be arranged out of hours for vulnerable cases such as families with children but we still see examples of children being detained overnight and not sent to other accommodation. Therefore, nearly everybody seeking asylum from late afternoon onwards will not have their case referred to NAIU until the next morning. Some cases require the use of an interpreter either in person or sometimes through a telephone interpretation service. This is a further source of delay. 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.

5.7 Board members have attended meetings at which a representative of NAIU has been critical of the quality and completeness of information received from Border Force in respect of asylum-seekers detained at Heathrow. If details provided to NAIU are inadequate, this will add to the length of time asylum-seekers have to wait for a decision as to whether they will be temporarily admitted or sent to an IRC. The Board has itself found delay, because Border Force staff were unable to deal with a case correctly. In one instance we were informed by Border Force that a decision concerning a possible torture victim had been delayed in part because the officers concerned did not "seem to have had a very clear idea how the issue should be addressed".

5.8 Many asylum-seekers are vulnerable. Family groups often include children and, sometimes, elderly parents. Some children seek asylum on their own. Border Force attempts to give priority to such people, but they can still be detained for a long time.

- *An elderly woman and her son, who sought asylum, were detained at 17:35, but did not leave for community accommodation until 20:35 next day, 27 hours later*

There are scheduled pick-up times when asylum-seekers can be transported to community accommodation. The Board is concerned still to find Border Force officers unaware that they can

request an earlier, special journey for vulnerable detainees. This results in people being detained in a holding room longer than necessary.

Detention in the Arrivals Hall

5.9 A significant number of detainees continue to come to holding rooms several hours after first being detained in the arrivals hall. The Board has regularly noted periods of over two hours and sometimes three hours before a detainee has been admitted to the holding room. Detainees regularly tell IMB members that they were not offered anything to eat or drink in the arrivals hall and were not told what is happening. Border Force is sometimes waiting for passengers' luggage to become available or to undertake fingerprinting. If they think that a quick decision to allow a detainee to enter the UK is likely, Border Force may keep them in the arrivals hall.

- *A man was detained at 07:20, but did not come to the holding room until 10:30. He said he had been sat in the arrivals hall for most of that time, but had been moved to a different area after about 1½ hours. He said that he was not offered anything to eat or drink during his time in the arrivals hall, nor was he told where to use the lavatory.*

5.10 The Board considers that a closer review should be kept of people detained in the arrivals hall, with the Chief Immigration Officer checking frequently who is there and why. This should include a check on the detainees' welfare.

Recommendations:

5A The Home Secretary should ensure that it is possible to maintain records showing the total duration of detention at Heathrow, including time held in the arrivals hall.

5B The Home Secretary should ensure that a Chief Immigration Officer at each terminal checks frequently who is being detained in the arrivals hall and why, and checks on their welfare.

5C The Home Secretary should ensure that Border Force staff are adequately trained in asylum procedures, including special consideration of torture victims and means of reducing the length of time before vulnerable detainees are moved to community accommodation.

6 DETAINEE WELFARE AND FACILITIES

Staff and detainees

6.1 The welfare of detainees depends very much on the attitude of the DCOs who look after them. The Board is pleased to have recorded many more instances of staff being caring, than thoughtless. Detainees who are distressed, elderly or vulnerable almost always receive sympathetic attention from DCOs. However, the Board remains concerned that induction to the holding room and welfare checks are not always undertaken adequately. A check list is completed for each detainee to show that induction has been undertaken properly, but this may not guarantee that a proper job is done. The Board found a check list completed to show that a one year old baby had been given an information booklet to read, indicating that boxes may be ticked mindlessly.

6.2 Detainees are much more likely to be treated with respect by Border Force staff than was the case three or more years ago. Border Force has become more aware of detainee welfare issues.

- *Border Force considered a female asylum seeker was vulnerable to pressure from a relative living in the UK so arranged for her to go to a 'safe haven' run by the Salvation Army.*

6.3 Some detainees have significant welfare needs and in such cases both Border Force and Tascor staff can be very caring. The Board particularly commends all those who looked after an asylum seeker with multiple disabilities, who did not speak English and who had been abandoned in an airport lavatory.

Staffing

6.4 Tascor is required to provide two DCOs at each holding room when it is occupied and a female DCO must be present if women or children are detained. Unfortunately, the Board has regularly observed these requirements not being met. If women have particular concerns or needs, they may be unhappy to confide these to a male member of staff. It is also most unsatisfactory for women to be searched by male officers, even though this is only done with a wand and there is no physical contact.

6.5 The position was particularly bad in late 2014 and early 2015 when all of the DCOs had to receive control and restraint training, despite the Home Office funding provision of additional staff to cover this requirement.

Welfare facilities

6.6 Welfare packs, containing socks, a flannel, soap, comb, toothpaste and toothbrush, are available for issue to detainees. When speaking with detainees we still find some who would like food or a welfare pack. These probably were offered when the detainee arrived in the holding room, but welfare checks by DCOs should pick up subsequent needs.

- *Five detainees had been in the holding room all night, but did not have welfare packs. When packs were issued at IMB prompting, the men were most grateful and immediately went to clean their teeth.*

6.7 The Board sees people who have been detained overnight, or who have been on a long flight, but have not been offered a shower. Until the holding room upgrades are complete, detainees can only have a shower at Terminal 2 or Cayley House. Those from other terminals can be taken to Cayley House for a shower, but this depends on the DCOs offering it and staff being available to escort them. Sometimes detainees are discouraged by DCOs from having a shower or told that this is not possible.

- *There was a strong smell of body odour in the Terminal 4 holding room, which is badly ventilated. The men present wanted to have a shower, but were told they could not because they were to go to an IRC within a few hours.*

Food and drink

6.8 Apples, oranges, crisps and biscuits are available in the holding rooms for detainees to help themselves. Sandwiches and microwaved hot meals are available from DCOs. These are also free of charge. The sandwiches are of varying quality. Some, particularly the cheese ones and the ham ones, use small quantities of a poor-quality filling. The ham is reconstituted, with added water. Some varieties of sandwiches had to be withdrawn when it was found that the cheese was not vegetarian. The microwaved hot meals are designed to be stored at room temperature. Many are rice-based, which suits a significant proportion of detainees. Some detainees are critical of the quality of the meals, one described the food as “unhealthy junk”, and Board members have observed partly-eaten, discarded meals.

6.9 There were problems with the availability of food during the summer, apparently caused by a new ordering system. The Board regularly found only a limited range of meals or sandwiches available. Sometimes there was no fruit and oranges were regularly missing. There were days when no kosher meals were available or when a particular room had no vegetarian meals. On at least one occasion DCOs had to use petty cash to buy sandwiches for detainees from a shop at the terminal.

6.10 The DCOs are responsible for keeping the holding rooms adequately stocked and for making sure that food is not kept after its ‘use by’ date. The Board has sometimes found fruit not available to detainees, though the DCOs had a stock. On one occasion there was rotten fruit in a holding room and crisps past their ‘use by’ date.

6.11 There are water fountains available in the holding rooms. Machines dispense hot and cold drinks, free of charge. Detainees have direct access to the machines at Cayley House and at Terminals 1 and 4. At Terminals 2, 3 and 5 the machines are in the DCOs’ office and detainees have to ask whenever they want a drink.

Telephones

6.12 A payphone is available in each holding room. Detainees cannot keep their mobile phone if it includes a camera, which almost all do. Tascor has a stock of phones without cameras or SIM cards, which detainees can use with their own SIM card, but they will not work with micro-sims and nano-sims used in Smart Phones.

6.13 Tascor’s contract with the Home Office provides that detainees should be allowed to make a five minutes phone call to anywhere, free of charge. Detainees may be allowed to use a telephone

in the DCO's office, but this provides no privacy. The Board has regularly observed a call not being provided. Instead, a DCO phones a family member or friend of the detainee and instructs them to call on the holding room payphone. If the holding room is busy and there is demand for the payphone, this practice can result in a delay before the detainee can speak with anyone.

6.14 Detainees used to be given a phone card which could be used to make a five minutes call to any number. There were problems with the reliability of the cards and staff being selective as to how they issued them. Those previously in use are no longer available and Tascor had not found an alternative supplier by the end of our reporting period.

Independent advice

6.15 If somebody is detained on arrival at Heathrow it is extremely difficult for them to obtain independent advice. Contact details for Community Legal Advice are posted in the holding rooms, but their help line is not staffed after 20:00 or from 12:30 on Saturday until Monday morning. Detainees have no access to the internet. The only way in which a detainee can get advice and support from an immigration lawyer is by phoning a family member or friend and asking them to seek help. This contrasts with the situation of anyone arrested at a police station, who is entitled to consult the duty solicitor.

Electronic information

6.16 Increasing numbers of detainees have details of their travel arrangements and bank accounts available electronically only and require use of the internet to access them. These and other details may be required in order to supply information requested by Border Force, but detainees have no access to the internet.

Passengers in wheelchairs

6.17 Detainees in wheelchairs can be seriously disadvantaged. Neither Tascor nor Border Force officers are officially allowed to push wheelchairs and none are provided in the holding rooms. Nor are officers permitted to assist people in and out of wheelchairs. If a detainee needs to be moved in a wheelchair, this is done by a member of airport staff. However, the staff cannot stay in a holding room throughout the time a wheelchair-user is detained. The Home Office relies on detainees being able to fend for themselves or being detained with a carer who is able to help them.

- *Two detainees who had difficulty walking only caught their flight because it left slightly late. Airport staff were half an hour late coming to the holding room with wheelchairs. This could have been avoided if DCOs had access to wheelchairs and were permitted to use them.*
- *A detainee with significant disability was only able to sleep on a lounge because he managed to shuffle unaided onto it from his wheelchair. Otherwise, he would have had to attempt to sleep sitting up with no head rest.*

The Board considers that Tascor staff should be trained to use wheelchairs and have their own supply of these.

Recommendations:

6A Tascor should ensure that detainees can themselves make a five minutes free telephone call by means of a facility that is reliably and conveniently available to them.

6B The Home Secretary should arrange that detainees have access to independent legal advice at all times and if this is not possible a detainee should have the option of not being removed until they have been able to obtain such advice.

6C The Home Secretary should arrange for detainees to have access to the internet and email sufficient to seek advice and to provide information required by Border Force.

6D The Home Secretary should include in any new contract for operation of the holding rooms that DCOs are trained in use of wheelchairs and have their own supply of these.

7 OVERNIGHT ARRANGEMENTS

7.1 It is inevitable that people will need to be detained overnight. They include those:

- Arriving in the evening who are the subject of enquiries
- Being turned back, but with no flight available until the following day

Asylum-seekers are particularly susceptible to overnight detention. It is most unusual for there to be a night when nobody is detained at any of the terminals. Many of those held for more than twelve hours and all of those held for more than eighteen hours are likely to have been in the holding room for all or part of the night, so over 2,400 people during the reporting period.

7.2 Despite this significant requirement for overnight accommodation, the holding rooms are poorly equipped for this and that will remain the case after the planned improvements. There are no beds. A limited number of loungers are available, but these do not allow one to lie flat and can be difficult to sleep on. Matters were made worse by a shortage of blankets for several months during the summer and autumn. The Home Office intends to provide inflatable mattresses that can be used on the floor, but these had not been introduced by the end of our reporting period.

7.3 It is now possible to dim the holding room lighting and the provision of showers at all of the holding rooms (except Terminal 1, which is closing) will be an improvement.

7.4 Detainees are sometimes moved to an IRC for the night, if they are to be removed next day. However, there can be a long wait for transport, so people have little benefit from the move. This can be even more so if a person is taken to a more distant IRC.

- *A man who was detained at 08:50 was to spend the night at Tinsley House IRC, over forty miles from Heathrow. He was collected by Tascor escorts at 23:35 and the journey took four hours. He was brought back to Heathrow for a further interview next morning, leaving Tinsley House at 07:10 for another four hour journey. He had had less than four hours at Tinsley House, during which time he managed to sleep for two hours. That is one quarter of the time spent in transit.*
- *There was a more unusual instance of a man being sent to Harmondsworth IRC for the night, even though it was full, so he had to be brought back to the airport.*

7.5 The Home Office reviewed in 2013 whether a residential short-term holding facility should be provided airside at Heathrow but decided against this on the grounds that *the start up and running costs for such a facility are prohibitive given the anticipated usage*. The Board sees many detainees who would benefit from proper overnight accommodation at Heathrow. This includes those being removed on morning flights who are currently brought to the airport during the night. They could, instead, come the previous afternoon or evening and have a full night's sleep before their journey.

Recommendation:

7A The Home Secretary should procure that overnight accommodation, allowing detainees to sleep in beds, is provided at Heathrow.

8 CHILDREN

8.1 1,308 children were detained at Heathrow during the year under review, thus:

	Unaccompanied children	Families with children	Number of children with their family	Total number of children
Terminal 1	42	73	102	144
Terminal 2	32	58	90	122
Terminal 3	25	169	270	295
Terminal 4	85	236	393	478
Terminal 5	53	124	190	243
Cayley House	0	11	13	13
Total	237	671	1,058	1,295

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.

8.2 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.

8.3 Border Force attempts to deal with children's cases quickly and sometimes succeeds in doing so. However, many children are detained because they are seeking asylum or extensive enquiries have to be made about their circumstances.

Accommodation

8.4 Pending the upgrading of the holding rooms, accommodation for children remains poor. Except at Terminal 2, access to the areas where children are detained is via the main holding room and there is no separate lavatory and washing facility. The space for children at Terminal 3 is particularly small and there is no dedicated accommodation at all at Terminal 4. The latter has separate rooms for men and for women and children are accommodated in the women's room, where husbands may be present. The new accommodation for children at Cayley House is bleak and unwelcoming by comparison with the previous room there.

Passing the time

8.5 A good selection of toys and books are available for younger children. Older ones and teenagers are less well provided for. There is a wii at each room and a range of videos that can be watched, but few detainees watch a video because they hope not to be held long enough to see it to the end. Children can keep their electronic devices and play games on them, so long as they do not include a camera.

Transfers to Tinsley House

8.6 If case work involving a child takes a long time, or if it is decided that they will be sent back and there is no flight until the next day, the family may be detained at Tinsley House IRC, near

Gatwick. Very few families are moved there. Obtaining special authority to detain children at Tinsley House can take two hours and it can be more than two hours from leaving the holding room at Heathrow until admission there.

- *A woman and two children, age 18 months and 10, were detained at 09:00. It was not until early evening that a decision was reached that they would be sent back. Procedures for authorising detention at Tinsley House, pending return, and arranging transport meant that they did not leave until 01:45.*
- *A mother and child, age 2, were detained at 07:10 but Border Force did not request a move to Tinsley House until 21:10. Accommodation of the child at Tinsley House had to be authorised and transport arranged, so they did not leave until 02:30. They arrived back at the airport for further interview at midday and were temporarily admitted to the UK.*

The timely accommodation of children in an appropriate setting and the avoidance of night journeys are among the most compelling reasons for having an airside residential short-term holding facility at Heathrow.

Potential child-abuse

8.7 Border Force continues to do good work in detecting child-abuse. The Board noted a case of an adult being arrested, while the accompanying child was accommodated separately and taken into the care of social services. Border Force arranged for a man to be arrested after he was observed assaulting a child in the arrivals hall.

Unaccompanied children

8.8 Although the total number of children detained was little different from 2013, there was a significant increase, from 172 to 237, in the number who were unaccompanied.

8.9 Unaccompanied children, including ones who are separated from unsuitable adults, will be transferred to the care of Hillingdon Social Services if they are not to be returned within a few hours. In many cases unaccompanied children are detained for only a short time.

- *A girl aged 5 was detained at 15:20 and was collected by a social worker at 18:50 and a boy aged 10 was detained at 22:40 and collected at 02:50.*

Unfortunately, some unaccompanied children are held for much longer.

- *A girl aged 13 was recorded as detained at 01:10, but did not leave with a social worker until 16:09.*

Older children

8.10 Any person under 18 years old is treated and accommodated as a child. This results in males aged 16 and 17 being accommodated with women and children. In some cases this is appropriate, but there are some who other detainees may find intimidating, because they are fully-grown and appear older than they are.

- *A tall, mature 17 year old male was detained overnight in the female room at Terminal 4 with two other women. All concerned would probably have been more comfortable if he had been in the male room.*

Tascor and Border Force have told the Board that they have no discretion as to where older teenagers are accommodated.

Removal of children

8.11 The removal of children, usually with their parents, needs to be undertaken sensitively. The Board has noted Overseas Escorts being particularly caring.

- *It was feared that a mother would resist boarding the aircraft, so she was handcuffed. Her children were boarded separately and positioned so that they would not observe this.*

Recommendations:

8A The Home Secretary should procure dedicated accommodation for children at Heathrow, including access to the open air and proper overnight facilities.

8B Pending provision of dedicated accommodation, the Home Secretary should ensure that any child needing to be detained at Heathrow overnight is held only in a refurbished holding room.

8C The Home Secretary should ensure that families with children are only moved from Heathrow to Tinsley House if it is certain that they will be there for at least twelve hours and that the return journey will not be at night.

8D Tascor should undertake individual risk-assessments to determine where it is most appropriate to accommodate male detainees aged 16 and 17.

9 REMOVALS

9.1 The Board frequently observes detainees being removed from the country, up to the point when the aircraft door is closed. We are pleased to record that we have observed both In-Country and Overseas Escorts being polite and considerate to detainees and doing all that they reasonably can to ensure a trouble-free departure.

9.2 Use of force during removals is considered in Section 11.

9.3 Detainees are security checked to go airside at a facility operated for HAL by Wilson James. This was relocated in 2014 to larger, better-quality premises. There is a secure lavatory, directly off the search area, which detainees are able to use. If a detainee wishes to use a lavatory airside, they are no longer taken to the extremely unpleasant staff facility at Terminal 4, but use a much better one in the centre.

9.4 Some In-Country escorts wear uniform items, such as epaulettes, which identify them as a Detainee Custody Officer when escorting detainees to the aircraft. This can indicate their role and the status of the detainee to other passengers. Many wear clothing which is only marked with the Tascor company name and all should be instructed to do so. The Home Office specifies that *DCOs wear clothing appropriate to the particular function they are engaged upon and in most cases the wearing of a uniform is required*. The instruction should be clarified to confirm that when detainees are being escorted in public areas this should not be obvious. This would be consistent with the Home Office requirement that *proper care is taken to protect [detainees] from curiosity, insult and physical or verbal abuse*.

9.5 Escorted removals can involve waiting for an hour or more in a van at the stand before boarding the aircraft. The detainee and escorts are cramped and the vehicle can be stuffy. In many cases the detainees are entirely co-operative and this is particularly the case with foreign national prisoners being returned to other European countries. The Board questions whether risk-assessed detainees could wait with the escorts inside the terminal building, to benefit from greater space and comfort.

9.6 A detainee made a formal complaint to the Home Office that the escorts did not let her fully close the cubicle door when using the aircraft lavatory. Members of the Board who have been on charter flights have observed that this is standard practice. The Board questions what benefit there is in this practice. Escorts do not observe the detainee using the lavatory and the door can easily be opened from outside.

9.7 In response to the recommendation in our previous Annual Report that the information leaflet drafted for people being removed through Heathrow should be brought into use, the Home Office said that it was scheduled to be distributed and in use by the end of July 2014. The leaflet was not in use by the end of this reporting period, so we repeat the recommendation.

Recommendations

9A The Home Secretary should not require DCOs to wear uniforms that identify their role when escorting detainees in public areas and Tascor should ensure that they do not do so.

9B Tascor should consider whether risk-assessed detainees who are being escorted to their destination could wait for the flight inside the terminal building.

9C Tascor should allow detainees to close the door fully when using a lavatory.

9D 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.

10 TRANSPORT

10.1 The Board continues to see large numbers of detainees brought to the airport too early or having to wait an excessive time for transport to an IRC. Journeys can take a long time for the distance involved. Tascor has regularly explained that delays are because of staff or vehicles not being available. **The organisation of many journeys is not respectful of the detainees and seems to be done with little regard for their welfare – as if they were a commodity, not people.**

10.2 The Home Office does attempt to move detainees to Heathrow IRC prior to removal, particularly if they are on a morning flight. However, accommodation is not always available. Detainees are frequently moved overnight from Brook House and Tinsley House IRCs (near Gatwick), Campsfield House IRC (near Oxford) and Dover IRC for removal on morning flights from Heathrow. Those from Dover are particularly at risk of an extended journey, because other detainees may be collected from Tinsley House IRC or Brook House IRC *en route*.

- *A detainee was collected from Dover at 00:35, but did not reach Cayley House until 07:00, because the journey had been via Brook House.*

The Board has noted fewer night moves from other IRCs, but journeys can also be lengthy

- *A detainee arrived at Cayley House at 02:15, having left Haslar IRC, Gosport at 20:35.*
- *Two women were collected from Yarl's Wood IRC, near Bedford, at 02:45 but did not reach Cayley House until 07:20. Their journey included an hour at Tascor's Heston depot (see para 10.5)*

10.3 Even if detainees are being brought from locations nearer to Heathrow, they can still have long and indirect journeys.

- *A man was collected from Campsfield House IRC at 21:35 but did not reach Cayley House until 04:00. His journey was via Sutton police station, South London, and Brook House IRC, where the DCOs were picking up and setting down another detainee. A direct journey, via Heston, would be less than 60 miles and should take no more than two hours.*

The Board has also noted indirect journeys by people being moved to an IRC convenient for removal through Heathrow.

- *A man was moved from HMP Hewell, Redditch, to Campsfield House IRC, via HMP Featherstone in Wolverhampton.*

10.4 Tascor's contract with the Home Office provides that detainees should not be brought to the airport more than five hours before their removal flight. However, earlier arrivals happen regularly, particularly if several people are coming from an IRC for different flights.

- *Two men arrived from Dover at 02:35 for flights at 10:05 and 10:55. This was because they were transported with two others who were on a flight at 08:00.*

- *Two men were collected from Dover at 21:00 and arrived at Cayley House at 01:40, for flights at 10:35 and 12:30. On the way to Heathrow, a detainee for an earlier flight had been collected from Brook House IRC.*

The Board understands that Tascor incurs a financial penalty from the Home Office when detainees are brought to the airport too early, but this would appear to be insufficient to offset the economy of making one journey rather than two. There have also been excessively early arrivals because, Tascor has told us, vehicles were not available for a later journey.

- *A man was collected from Dover IRC at 22:25 for a flight at 12:30 the following afternoon. He could easily have spent the night in bed in Dover, rather than on the road and at Cayley House.*

10.5 Detainees brought to the airport from more distant IRCs transfer to airside crews and vehicles at Tascor's depot at Heston, a few miles from the airport. The depot is not an authorised place of detention and detainees should be there no longer than is needed to transfer between vehicles, and to use the lavatory if required. However, the Board has noted cases of detainees being at Heston for much longer.

- *A detainee en route from Brook House to Heathrow was at Heston from 01:00 until 02:20.*

10.6 Detainees at Heathrow who are to be moved to an IRC can have a long wait for transport.

- *A woman was detained at 19:40 and an order to transport her to Colnbrook IRC was received by Tascor just after midnight. She was not collected until 04:00, so had to spend most of the night in the holding room.*
- *A man was detained at 20:20 and it was decided that he should go to Harmondsworth IRC. The movement order was issued to Tascor about midnight, but he was not collected until 07:50 after an entirely avoidable night in the holding room.*

10.7 The Board only sees and travels in vans used by the airside escorts. These are usually clean and well-presented, with the CCTV working and a multi-lingual information booklet available for detainees.

Recommendations:

10A Tascor should ensure that it has sufficient vehicles and staff to undertake escorting in compliance with the Home Office contract.

10B Tascor should ensure that detainees are not at Heston for any longer than is necessary to use the lavatory and change vehicles.

10C The Home Secretary should ensure that any new contract for escorting adequately incentivises the contractor to transport detainees in a humane manner and in compliance with the contract specification.

11 USE OF FORCE

11.1 It is very unusual for force to have to be used against people who are detained at Heathrow or who are being removed unaccompanied. The great majority of people being removed under escort are also entirely co-operative. A small minority do resist removal and have to be restrained.

11.2 Following the death of Jimmy Mubenga, who died in October 2010 having been restrained on an aircraft at Heathrow, there has been a thorough review of use of force and staff training. The Independent Advisory Panel on Non-Compliance Management reported in March 2014 and the Home Office has implemented its recommendations commendably quickly. There is welcome emphasis on de-escalation and avoiding the need to use force. IMB members have visited the impressive new training facility, which includes a mock aircraft interior, and been briefed on the approved methods of restraint. It is intended that this will be a regular feature of Board members' training.

11.3 By autumn 2014 all of the DCOs working as Overseas Escorts had been trained in the new methods and by the end of our reporting period substantial progress had been made in training the DCOs based at Heathrow. DCOs with whom IMB members have spoken have been impressed by the training.

11.4 With the new methods in operation for only a few months before the end of our reporting period, IMB members have had limited opportunity to observe them used in practice and have not monitored any removals where the detainee was seriously disruptive. Although the new training emphasises de-escalation, early sample reviews of Overseas Escorts' reports have not shown any decrease in the incidence of use of force. However, the Board would like to obtain data over a longer period before drawing any firm conclusions.

11.5 During all removals by Overseas Escorts that have been observed by the IMB, the detainee's arms were held while boarding the aircraft. The Board understands that this happens in all cases, even though the detainee may be entirely co-operative. This "guiding hold" is recognised as a form of restraint and the Board considers that its use in all cases cannot be regarded as necessary, reasonable and proportionate.

Recommendation

11A Tascor should ensure that detainees are only be subject to "guiding hold" when this is risk-assessed as necessary on an individual basis.

12 HEALTHCARE

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

12.2 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.

12.3 The Home Secretary has previously accepted recommendations from the Board that provision should be made for detainees to be supplied with non-prescription pain-killers. After very extensive discussions with Tascor and with Public Health England, the Home Office has decided that pain-killers will not be provided. This is because of concern that a detainee may suffer an adverse reaction. It was considered that a paramedic would need to attend to issue a painkiller and the cost could not be justified by the Home Office.

12.4 It remains of great concern to the Board that a detainee with a headache, period pains or other pain can do nothing to relieve the symptoms, unless they have their own medication available. If it is not possible for pain-killers to be given to a detainee in the holding rooms, Tascor should escort the person to one of the chemists on the airport where they can see a pharmacist and purchase their own medication.

12.5 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:

12A Tascor should ensure that any detainee wishing to purchase non-prescription medication has the opportunity to do so at an airport shop.

13 DIVERSITY

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

13.2 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 at Cayley House and can be supplied to other holding rooms on request. All meat in other hot meals is halal, so is not acceptable to detainees who reject the practice on animal welfare or other grounds. Meat in sandwiches is meant to be halal, but certain varieties had to be withdrawn when it was found that this was not the case.

13.3 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. 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. A qibla arrow or compass in each of the rooms indicates the direction of Mecca.

13.4 A recommendation in our previous Annual Report that the time of sunrise and sunset should be posted in holding rooms throughout the year was accepted by the Home Office and Tascor, but has not been implemented. There are religions where observance of sunrise and sunset is important, but in a room with no windows detainees cannot tell whether it is light or dark. Calendars indicating the time of sunrise and sunset have been displayed during Ramadan, but in 2014 these were not posted soon enough. The IMB reminded Tascor that times were not on display five days after the start of Ramadan, but notices had still not been put up in all holding rooms a week later.

Recommendations:

13A Tascor should provide non-halal meat for those who require it.

13B Tascor should post the time of sunset and sunrise in holding rooms throughout the year.

14 SAFER CUSTODY

14.1 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 simpler 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.

14.2 The number of detainees at risk of self-harm is quite small, so the Board sees only a few. It is of concern that inconsistent and incomplete records are still seen.

- *A detainee who was being removed had been subject to ACDT, after he made a serious attempt to self-harm, but his Custody Record Risk Assessment completed little over a month later made no reference to this.*
- *The Personnel Escort Record for a detainee stated that he was at risk of self-harm, but the ACDT system was not implemented until two days later and there was nothing recorded under 'Risk Factors' on the IS91.*

Recommendation:

14A The Home Secretary and Tascor should ensure that safer custody records are promptly and accurately maintained and that all relevant information is passed to those responsible for the welfare of detainees at risk.

15 COMPLAINTS

15.1 Detainees are not able to submit comments and complaints to the IMB in the way that would be expected at an IRC or prison. This is because the majority would have long gone before the IMB could respond. Detainees are able to contact the Board, after they have left the holding room, by means of email. This facility is publicised in the holding rooms in seventeen languages. No complaints were received during the reporting period.

15.2 The Home Office copies to the Board its responses to formal complaints from detainees at Heathrow. During the reporting year, the Board received just five responses from the Home Office. 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. In addition, the Board has been notified by Border Force of the outcome of a complaint to the Parliamentary and Health Service Ombudsman ("PHSO").

15.3 All five complaints to the Home Office related to the treatment of detainees while being removed from the UK by Overseas Escorts. All alleged excessive or inappropriate use of force and, in one case, other complaints about how the detainee was treated on the flight. None of the complaints was upheld by the Home Office, taking account of statements by the Overseas Escorts and CCTV evidence when available.

15.4 In one case the boarding that was the subject of a complaint had been observed by two IMB members. The detainee had been co-operative until brought to the aircraft steps. He then lashed out and struggled violently with the Escorts, who handcuffed him. Then he dropped to the ground and said he could not breathe, so the handcuffs were removed, an ambulance was summoned and the removal cancelled. The detainee alleged that he had been physically injured through excessive use of force, but the Board is satisfied that this was not the case and that the Escorts handled a difficult situation satisfactorily. The Home Office has concluded in other cases that use of force was necessary because the detainee was resisting removal and that it was not excessive.

15.5 Where possible, the Home Office uses CCTV evidence when considering complaints, but there are limitations to this. Boardings are not routinely filmed, but this is when use of force is most likely to be required. Airlines do not allow filming on aircraft. CCTV recordings in vans can be very useful, but one investigation was hampered because the equipment failed at the critical moment. The CCTV had been working earlier and it returned to use later. The Home Office attributed this to a poor electrical connection in the vehicle. The Board supports the recommendation of the Independent Advisory Panel on Non-Compliance Management that the Home Office examine the role body-worn cameras might play in providing additional safeguards during removal operations.

15.6 The complaint to the PHSO related to treatment of a lady who was detained in a holding room for five hours. The PHSO found that Border Force did not properly consider a request by the detainee to see a doctor, because she felt unwell, and that this was a "significant failing". The PHSO also criticised Tascor for not undertaking a welfare check before the lady left the holding room for her flight, bearing in mind that she had been ill.

Recommendations:

15A Tascor should ensure that CCTV equipment in vehicles is reliable and that it operates while detainees are present.

15B The Home Secretary should examine the role body-worn cameras might play in providing additional safeguards during removal operations.

16 THE WORK OF THE BOARD

16.1 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.

16.2 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. Meetings were held bimonthly, but have been erratic since summer 2014, which is unfortunate.

16.3 Four new members were recruited in autumn 2014, but had not obtained security clearance by the end of the reporting period, so were not yet participating in the work of the Board. Two members of the Board are obliged to retire at the end of 2015, having served on IMBs for fifteen years, the maximum continuous period allowed.

16.4 During the year the Board's name was formally changed to Heathrow Airport Independent Monitoring Board, the word 'Airport' being additional. This is to distinguish us from the Board that monitors the combined Colnbrook and Harmondsworth IRCs, which are now known as Heathrow IRC.

16.5 Members of the Board have monitored two Home Office charter flights, one to Nigeria and Ghana and the other to Pakistan, during the reporting period. This was part of the experimental monitoring of flights undertaken by members from various Independent Monitoring Boards at the request of the Home Secretary.

16.6 It has been proposed for several years that the work of the Board should include monitoring the detention facility at Eaton House Reporting Centre, Hounslow. The Board is happy to take on this additional role and hopes that the Home Secretary will extend its remit in the near future.

16.7 Meetings and visits attended:

Number of Board members at start of reporting period	8
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	100
Number of attendances at meetings elsewhere	4

* Excludes four members provisionally appointed and awaiting security clearance

SUMMARY OF RECOMMENDATIONS

Recommendations to the Home Secretary

- 4A The Home Secretary should ensure that the agreed improvements to the holding rooms are provided without further delay.
- 4B The Home Secretary should be more vigorous in pressing HAL to undertake repairs.
- 4C The Home Secretary should consider whether there is appropriate and adequate resource within the contract monitoring team to secure improvements and repairs to an acceptable standard and in a timely manner.
- 5A The Home Secretary should ensure that it is possible to maintain records showing the total duration of detention at Heathrow, including time held in the arrivals hall.
- 5B The Home Secretary should ensure that a Chief Immigration Officer at each terminal checks frequently who is being detained in the arrivals hall and why, and checks on their welfare.
- 5C The Home Secretary should ensure that Border Force staff are adequately trained in asylum procedures, including special consideration of torture victims and means of reducing the length of time before vulnerable detainees are moved to community accommodation.
- 6B The Home Secretary should arrange that detainees have access to independent legal advice at all times and if this is not possible a detainee should have the option of not being removed until they have been able to obtain such advice.
- 6C The Home Secretary should arrange for detainees to have access to the internet and email sufficient to seek advice and to provide information required by Border Force.
- 6D The Home Secretary should include in any new contract for operation of the holding rooms that DCOs are trained in use of wheelchairs and have their own supply of these.
- 7A The Home Secretary should procure that overnight accommodation, allowing detainees to sleep in beds, is provided at Heathrow.
- 8A The Home Secretary should procure dedicated accommodation for children at Heathrow, including access to the open air and proper overnight facilities.
- 8B Pending provision of dedicated accommodation, the Home Secretary should ensure that any child needing to be detained at Heathrow overnight is held only in a refurbished holding room.
- 8C The Home Secretary should ensure that families with children are only moved from Heathrow to Tinsley House if it is certain that they will be there for at least twelve hours and that the return journey will not be at night.

- 9D 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.
- 10C The Home Secretary should ensure that any new contract for escorting adequately incentivises the contractor to transport detainees in a humane manner and in compliance with the contract specification.
- 15B The Home Secretary should examine the role body-worn cameras might play in providing additional safeguards during removal operations.

Recommendations to the Home Secretary and Tascor

- 9A The Home Secretary should not require DCOs to wear uniforms that identify their role when escorting detainees in public areas and Tascor should ensure that they do not do so.
- 14A The Home Secretary and Tascor should ensure that safer custody records are promptly and accurately maintained and that all relevant information is passed to those responsible for the welfare of detainees at risk.

Recommendations to Tascor

- 6A Tascor should ensure that detainees can themselves make a five minutes free telephone call by means of a facility that is reliably and conveniently available to them.
- 8D Tascor should undertake individual risk-assessments to determine where it is most appropriate to accommodate male detainees aged 16 and 17.
- 9B Tascor should consider whether risk-assessed detainees who are being escorted to their destination could wait for the flight inside the terminal building.
- 9C Tascor should allow detainees to close the door fully when using a lavatory.
- 10A Tascor should ensure that it has sufficient vehicles and staff to undertake escorting in compliance with the Home Office contract.
- 10B Tascor should ensure that detainees are not at Heston for any longer than is necessary to use the lavatory and change vehicles.
- 11A Tascor should ensure that detainees are only be subject to "guiding hold" when this is risk-assessed as necessary on an individual basis.
- 12A Tascor should ensure that any detainee wishing to purchase non-prescription medication has the opportunity to do so at an airport shop.
- 13A Tascor should provide non-halal meat for those who require it.
- 13B Tascor should post the time of sunset and sunrise in holding rooms throughout the year.
- 15A Tascor should ensure that CCTV equipment in vehicles is reliable and that it operates while detainees are present.

APPENDIX

Operations

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 a holding room at each of the five passenger terminals.

Passengers arriving at the airport may be detained in the holding rooms on the authority of 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.

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

Operation of the holding rooms and provision of transport, known as 'escorting', is contracted by the Home Office to Tascor Limited, a subsidiary of Capita plc. Tascor employs the DCOs who staff the holding rooms and escort detainees.

The Detainees

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.

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

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.

People may be held for a long time, including 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 for some time.
- A person is not to be admitted to the UK and has to return whence they came, but the next available flight is not for some considerable time.
- Asylum-seekers waiting for their case to be referred to and considered by NAIU.

Removals

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 Cayley House, 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 Cayley House 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.

Detainees who are leaving unaccompanied are escorted from the holding room to the aircraft by DCOs based at Cayley House. Those being turned back at the border are almost always co-operative.

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.

Detainees are transported by minibus and may spend a long time in it at Heathrow awaiting the flight. They 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.

When a foreign-national prisoner is to complete their sentence in their own country, they are 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.

Transport

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.

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. Families with children are usually conveyed in a hired coach.

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.

ABBREVIATIONS

ACDT	Assessment, Care in Detention & Teamwork (<i>a system of caring for detainees at risk of self-harm</i>)
DCO	Detainee Custody Officer
HAL	Heathrow Airport Limited (<i>the owners of Heathrow Airport</i>)
IRC	Immigration Removal Centre
IS91	A Home Office form that authorises detention
NAIU	National Asylum Intake Unit (<i>a Home Office department</i>)
PHSO	Parliamentary and Health Service Ombudsman