



REPORT
of the
INDEPENDENT MONITORING BOARD
on the
NON-RESIDENTIAL SHORT-TERM HOLDING FACILITIES
at LONDON HEATHROW AIRPORT
for the year
February 2015 to January 2016

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1 INTRODUCTION

1.1 The Heathrow Airport Independent Monitoring Board (IMB) presents its annual report for 2015-2016. It is pleased that work on the rebuilding and refurbishment of some of the terminals' holding rooms is at last about to begin, although the wait to get to this point has been disappointing. We repeat our recommendation from previous years that there is a real need for a residential holding facility at Heathrow and also re-state our strong belief that the holding rooms are totally unsuitable for the detention of children beyond the very briefest period. More information on these and other key issues will be found in the following pages. The report makes 20 recommendations to the Home Secretary or to Tascor and we would urge their implementation.

1.2 More positively, the Board has again 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 a more than acceptable standard, sometimes in difficult circumstances with detainees who are resisting removal.

1.3 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 Board welcomes the publication of Stephen Shaw's Review into the Welfare in Detention of Vulnerable Persons and supports its recommendations, most particularly those which impact most immediately on our own work. The Board has also valued its contact with Nick Hardwick, the retiring Chief Inspector of Prisons, and his colleagues, and looks forward to these links with the Prisons Inspectorate continuing.

1.5 We wish to record our thanks to two long-standing members of the Board, Greg Beecroft and Isobel Morrow, who had to retire from the Board at the end of 2015 because of the rules about the length of tenure. On a much sadder note we must also express our gratitude to the late Lord Avebury, who died on 14th February 2016. He shared the Board's concerns about the conditions in which men, women and children were held in detention at Heathrow and persistently pursued questions on our behalf in Parliament.

2 EXECUTIVE SUMMARY

2.1 Most of the holding rooms still fail to provide acceptable accommodation for detainees. There has been continuing delay in the rebuilding and refurbishment of the older holding rooms. Although work is at last in train in Terminal 4 and a timetable has been published for Terminal 3, there is still no date for anything to be done at Terminal 5.

2.2 Over a quarter of detainees are held for more than eight hours, with asylum-seekers being particularly at risk of staying for a longer period and a possible overnight stay. Some detainees are held for two hours or more in the arrivals hall before being admitted to the holding room. This period of detention is not included in official statistics.

2.3 None of the holding rooms provide satisfactory overnight accommodation. The Board has also seen examples of detainees being moved to Immigration Removal Centres (IRCs) for the night to allow them to sleep, only to be brought back to the airport so quickly that adequate rest will have been impossible.

2.4 Tascor, the company contracted by the Home Office to manage the holding rooms, and Border Force staff are usually caring and sympathetic to detainees, including children and other vulnerable people, but the Board is not confident that holding room inductions and welfare checks are always carried out to a satisfactory standard. There have been considerable problems in enabling detainees to make phone calls and they have little or no opportunity to obtain independent legal advice. Detainees have no access to non-prescription pain-killing drugs, even when the need is obvious.

2.5 The holding rooms are unsuitable for the detention of children and other young people beyond the very briefest period. It is unsatisfactory that when families are moved to an IRC, this will involve a lengthy journey, sometimes at night, with the family possibly being brought back to Heathrow after a relatively short stay.

2.6 Removal of detainees, whether escorted or unescorted, is generally undertaken in a satisfactory manner with any use of force proportionate to the case. The Board's observation of a small number of family removals showed these were carried out with a great deal of sensitivity to the needs of the children concerned

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 meets monthly and 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 its duties. During the reporting period members undertook 61 visits to the airport holding rooms and monitored 45 removals of detainees, the majority of these when the person was being removed under escort.

3.3 The Board conducts its work in line with the general principles of independent monitoring that have been established for prisons and IRCs. We were pleased that the long-awaited draft Short-Term Holding Facility Rules were received from the Home Office shortly after the end of the reporting period and we have since participated in the consultation process.

4 THE HOLDING ROOMS

4.1 As in previous years the Board remains greatly concerned at the considerable delay there has been in achieving improvements to the holding rooms that the Home Office and Heathrow Airport Limited (HAL) are committed to provide. Progress has been extremely slow, despite Parliamentary interest and pressure from the Board.

4.2 Each of the present four terminals (Terminals 2,3,4,and 5) contains a holding room where passengers arriving at the airport may be detained on the authority of Border Force on behalf of the Home Secretary. This may be for periods of up to 24 hours, and in a few cases even longer. There is a further holding room at Cayley House, part of Terminal 3, which is used for people brought to the airport for removal.

4.3 We again describe the unacceptable and in some cases degrading features of the holding rooms, as detailed in previous reports. There are no proper sleeping facilities. Only at Cayley House and at the relatively recently-opened Terminal 2 are there showers, and even these have been periodically out of action for repairs. Elsewhere the only washing facilities are hand basins, and paper towels are no longer supplied so that people have to dry themselves with a hot air dryer, which makes it difficult for anybody to dry more than their hands. The lavatory cubicles at Terminal 5 open directly into the holding room, with large gaps above and below the doors. This means that there is very limited privacy for anyone using the lavatory as smells and sounds may easily be noticed by other men and women in the holding room. There is no natural light and, in summer and when there is crowding, the rooms can become insufferably hot, especially at Terminal 4 where the rooms are much smaller.

4.4 Although most rooms contain separate accommodation for families, this may only be a partitioned off section of the main holding room. It is very small at Terminal 3, while the present Terminal 4 has no separate accommodation at all for children. There is no smoking facility, which may increase discomfort for those detained after long flights where, as is now normal, they have not been permitted to smoke. In the Terminal 4 holding room the interview rooms used by Border Force abut straight onto the main holding rooms, so that conversations can be heard and individuals' privacy restricted. Plastic covering on the bench seats in one of the holding rooms deteriorated to a very worn state before it was eventually replaced.

4.5 Following publication of the Board's Annual Report in 2012, so four years ago now, BAA (as HAL was then known) accepted the need for improvements. However, progress since then has been painfully slow, with dates set and then postponed, on several occasions. In response to the Board's 2014 Annual Report the Home Office said that plans were now signed off for Terminals 3 and 5 with a planned completion date by the end of 2014, but there has since been further slippage. Another delay occurred at Terminal 4, by far the least satisfactory facility, when space identified for rebuilding had to be used for Ebola screening.

4.6 The end of the present reporting period at last sees re-building and re-furbishing about to commence in the Terminal 4 holding room with a completion date set for June 2016. We have also been informed that similar work at Terminal 3 will now take place between April and August 2016.

This is obviously welcome news but the length of time taken to get to this point is surely of concern. Worse, there is still no date set for anything at all to be done at Terminal 5 with a previous timetable currently abandoned, and no progress to address concerns that were first raised by the Board as long ago as 2008.

4.7 The Board is anxious that the structure, space available and general facilities of any rebuilt holding room should include the provision of a clearly separate family room, with space for several families if necessary and adequate room for children to run around. Showering facilities should also be provided for both men and women.

4.8 Cayley House is a different type of facility, in that the men and women detained will have already spent time in custody in an IRC. In the majority of cases they will be brought there within five hours of their flight departure time, and they will then be taken to the aircraft door and travel unescorted to their final destination. However, in spite of some re-fitting work carried out at the start of 2015, it remains a bleak and cheerless environment, the detention rooms lacking natural light, and a general sense of its being just a transit camp. A Spiderphone which provided access to interpreting was withdrawn without the Board being informed and only re-instated after representations extending over several months. Other recent problems have been a nauseating smell from the drains in the female shower room, which persisted over several weeks in the summer, the breakdown of the shower in the male shower room in December, and also during the winter the failure of the heating in the female waiting room, which again took some time to resolve. There is a quiet room that can be used for prayer but during one visit the Board discovered it had been turned into a temporary storage facility.

Recommendations:

4A The Home Secretary should ensure that the rebuilding and refurbishment of the Terminal 3 and Terminal 4 holding rooms is progressed without any further delay.

4B As a matter of urgency the Home Secretary should agree a timetable with HAL for the rebuilding and refurbishment work to be undertaken at Terminal 5.

5 LENGTH OF DETENTION

5.1 Tascor compiles monthly length of stay statistics, from which the Board has calculated the number of people detained during the reporting year and their length of stay in the different holding rooms.

	0-8 hours	8-12 hours	12-18 hours	18-24 hours	24+ hours	Total
Terminal 2	2119	476	233	125	25	2978
Terminal 3	2074	387	195	100	23	2779
Terminal 4	3357	666	402	213	77	4715
Terminal 5	2312	500	277	165	45	3299
Terminals total	9862	2029	1107	603	170	13771
Cayley House	6512	131	23	10	2	6678

In percentages the figures for the terminals show that 72% of detainees were held for 0 to 8 hours, 15% for 8 to 12 hours, 8% for 12-18 hours, 4% for 18-24 hours, and 1% for 24 hours plus. While fewer people were detained in the holding rooms than in the previous year (13771 as against 17688), the percentages of the different categories are broadly similar. The periods of longer stay at Cayley may relate to detainees refusing to leave, instances of the flight being cancelled, or a last-minute legal intervention.

5.2 It should be noted that the figures for the terminals relate only to how long people have to stay in a holding room. As noted below, people can also be detained in an arrivals hall for a significant period, sometimes over two hours, before coming to the holding room, which makes the period in detention materially longer. In its 2015 report the Board recommended that the Home Office should record the total hours duration of detention at Heathrow, including time held in the arrivals hall, but it has been told it is not possible to aggregate the two sets of figures.

5.3 The main factors affecting length of stay in the terminal holding rooms by passengers who have just arrived in the United Kingdom, are:

- Time taken by Border Force to complete casework and decide what is to happen to a detainee. This will depend on the complexity of someone's circumstances, including the possible need to make contact with third parties, such as an employer or college, or the need to use an interpreter, either face-to-face or over the telephone
- 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
- For those being returned on a flight, the time taken by the Home Office to arrange a flight with the carrier, and then the flight's departure time.

5.4 If a passenger is refused entry and has to return to where their flight departed, this can lead to a long wait in the holding room, as the carrying airline required to return them may not operate a

frequent service. Anyone detained from late afternoon onwards is most unlikely to be returned before the following day so will have to spend a night in the holding room.

Asylum-seekers

5.5 Asylum seekers are among those likely to be held for a longer time than other detainees, due to the need to refer them to the National Asylum Assessment Unit (NAAU). This is closed overnight, so nearly everybody seeking asylum from late afternoon onwards will not have their case considered until the next morning. The need for an interpreter may cause further delay and, even if temporarily admitted, there may be a further period of waiting until transport to their accommodation arrives, even though the latter is supposed to have regular pick-up times. Also, some asylum seekers still end up being sent to an IRC under the Detained Asylum Casework system, even though the previous Detained Fast Track system has now been ruled unlawful by the Court of Appeal, supported by the Supreme Court.

5.6 Many asylum-seekers are vulnerable and include people who have experienced civil war and other extreme privation. They may feel isolated, speak limited or no English, and are likely to be fearful of being returned to their country of origin. Some will be in family groups, with children and grand-parents, while 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.

5.7 Examples of lengthy waits with political asylum cases noted by the Board have included:

- *A woman who was eight months pregnant was stopped on control at 19.15, was admitted to the holding room at 21.05, spent the night there and eventually left to go to refugee accommodation at 18.40, a total stay in the holding room of 21 hours 35 minute*
- *A woman arrived in the holding room at 16.05, but there were extreme difficulties in finding an interpreter to come to Heathrow who could speak her language. By the time questioning by Border Force had been completed the NAAU office had closed for the day so a referral could not be made until the following morning. A decision was quickly made that she could be given temporary admission, but there were then further delays in transport arriving to collect her so that she did not eventually leave the holding room until 16.15, a total stay of over 24 hours*
- *A man arrived in the holding room at 18.40 and was eventually admitted to his own accommodation at 15.30 the following day, a total stay of 20 hours and 50 minutes*
- *A woman with two children aged eight and nearly six was admitted to the holding room at 13.00 after a lengthy wait at control and was eventually given temporary admission to refugee accommodation at 21.15, a total stay of 9 hours 15 minutes.*

Detention in the Arrivals Hall

5.8 A significant number of detainees come to holding rooms several hours after first being detained in the arrivals hall. The Board has noted periods of over two hours and sometimes three hours before a detainee has been admitted. During this time they may not be offered anything to eat or drink or given the opportunity to use the lavatory. In December 2015 the Board was pleased to see Border Force's Standard Operating Procedures for Control Waiting Areas at Heathrow which require the Duty Manager to be informed if any detainee's stay at control goes beyond forty

minutes. The Board accepts that there are cases where further inquiries can be completed fairly quickly and it is appropriate to do so in the arrivals hall, but believes that in all other cases it will be better to take those concerned to a holding room where food, drink and toilet facilities are available and where they will be removed from public scrutiny.

Recommendation:

5A The Home Secretary should ensure that a Chief Immigration Officer at each terminal checks on the reasons for any person being detained in the arrivals hall for longer than 40 minutes and seeks an explanation as to why they cannot be taken to a holding room.

6 DETAINEE WELFARE AND FACILITIES

Staff and detainees

6.1 The holding rooms are staffed by Detention Custody Officers (DCOs) employed by Tascor. The company 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. It is now very rare to find this not being observed. The Board is pleased to have recorded many instances of staff being caring towards detainees in their charge, especially towards those who may be distressed, elderly or otherwise vulnerable. This is a much improved position than to that which has been reported in previous years. Some examples were:

- *'The induction of a detainee was being conducted in a friendly and relaxed manner, with quite a lot of shared laughter. The gentleman had retrieved his medication, which was labelled and sitting on the counter, presumably so that it was accessible when needed. Once the induction had been completed, the man was offered a choice of hot meals'*
- *'I have not seen a child so gently searched using the wand and with such imagination. The escorting officer explained that she was now going to play a game with the child, showed the child how the wand can bleep and then ran the wand over the child, who had no qualms and appeared to enjoy this game. The Induction was carried out well by the same officer who took the mother and child into the room and pointed out this and that.'*
- *'The woman was very distressed and in tears. Upon arriving in the holding room, she was able to take a seat in the DCOs' area where she made a call home and was given a welfare induction. The induction was done very well, with sensitivity and a calm manner with both the DCO and female sitting down.'*

6.2 However, the Board remains concerned that information given to detainees at induction may sometimes be communicated in a perfunctory manner and that checks on the welfare of people in the holding room are not always carried out at the required frequency. Sometimes too there are examples of detainees not being given the welfare packs that are available for them, these containing socks, a flannel, soap, comb, toothpaste and toothbrush. On other occasions there has been a breakdown in supply with no welfare packs being available.

6.3 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 at 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.

Food and drink

6.4 Apples, oranges, crisps and biscuits have been available in the holding rooms for detainees to help themselves, and sandwiches and micro-waved hot meals are available from the DCOs. There are water fountains available and machines that dispense hot and cold drinks, though the latter are

not always inside the holding rooms themselves. During the course of the year the daily supply of fresh sandwiches was replaced by a supply of packaged sandwiches which if kept refrigerated, are claimed to have a considerably longer shelf-life of two to three weeks. However, the Board has received complaints from DCOs that some of these have had to be thrown away before their expiry date after being deemed uneatable by themselves or detainees. A further concern was that sandwiches were not refrigerated when being transported from the delivery point, via airport security, to refrigerated storage at Cayley House. On one reported occasion this journey took over four hours. There have also been some examples of DCOs not realising that fruit had become mouldy. At one point in the year there were problems in supplying kosher food.

Telephones

6.5 There have been long-standing problems in enabling detainees to make telephone calls. A payphone is available in each holding room for detainees to make and receive calls, but this provides limited privacy and using it can also be difficult if the room is crowded or several people want to use it. Although most people detained have mobile phones, for security reasons they are not allowed to keep them if they contain a camera, which is now almost universally the case. The DCOs have been able to lend replacement phones but these will not work with all modern sim cards.

6.6 Tascor's contract with the Home Office provides that detainees should be allowed to make a five minutes phone call to anywhere in the world, free of charge, and sometimes this has been done through the detainee making a call using the phone in the office and asking to be called back on the pay-phone. Holding rooms have also been supplied with telephone cards but the supply was frequently unreliable because of alleged purchasing difficulties and the cards themselves did not allow calls to all overseas countries. All of this was an extremely unsatisfactory situation.

6.7 In January 2016 Tascor finally provided two mobile phones to each holding room which are for dedicated use by detainees and allow them to make a free five minute international call. The DCOs are able to dial a low-cost provider and the phone can then be given to the detainee to make their own phone call, although there are still concerns that not every country may be accessible. The Board obviously welcomes this initiative and hopes it will prove to be a successful way of dealing with a long-term problem.

Independent advice

6.8 If somebody is detained on arrival at Heathrow it is extremely difficult for them to obtain independent advice, most especially legal advice. Probably the only effective way is for them to telephone a family member or friend if this is possible, and asking them to contact a lawyer. Although contact details for Community Legal Advice are posted in the holding rooms this is not available on a 24 hours basis and test-calls by a member of the Board only resulted in hearing a recorded message and this only in English. The Board has been informed by the Home Office that it is under no legal obligation to provide independent legal advice to anybody detained in the holding rooms, although this contrasts with the situation of anyone arrested at a police station, who is entitled to consult the duty solicitor.

6.9 In its previous report the Board recommended that detainees should have access to independent legal advice at all times and if this was not possible they should have the option of not

being removed until they had been able to obtain such advice. The present system of providing contact telephone numbers is a poor substitute.

Access to the Internet

6.10 Unlike those detained in IRCs, people kept in holding rooms have no access to the Internet despite the fact that increasing numbers of them have details of their travel arrangements, bank accounts and other personal information only available electronically. Such information may be crucial to answering questions put to them by Border Force, and indeed if it were readily available, this might be of great assistance to Border Force as well. In its previous report the Board recommended that detainees should have such access to the internet and email as was sufficient for them to seek advice and to provide information required by Border Force. The recommendation was rejected, one of the reasons being detainees' short period of stay in the holding rooms. Yet in the reporting period as already described slightly under 4000 people were detained in the holding rooms for periods of more than eight hours.

Recommendations:

6A Tascor should confirm by July 2016 that the provision of mobile phones has allowed all detainees to make a five minute phone call to anywhere in the world and if this has not been possible to any country what other arrangements have been made.

6B The Home Secretary should arrange that detainees have access to independent legal advice at all times and if this is not possible they 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 sufficient access to the internet to enable them to provide information required by Border Force.

7 OVERNIGHT ARRANGEMENTS

7.1 It is inevitable that people will need to be detained overnight. This includes those arriving in the evening who are the subject of enquiries, and secondly those who have been refused admission, but where no flight is available until the next day. As has already been said, asylum-seekers are also 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 almost 1900 people during the reporting period.

7.2 Despite the numbers involved and their constant arrival, the holding rooms are poorly equipped for accommodating people overnight, and this will remain the case even after the planned rebuilding and refurbishment work is completed, whenever that may be. There are no beds. A very limited number of loungers are available, but some of these have become increasingly decrepit and they do not allow for anybody to lie flat. There was a short-lived experiment with inflatable mattresses in the Terminal 4 holding room but this was judged unsuccessful because of the limited floor space available and there sometimes being more people detained than mattresses available.

7.3 Detainees are sometimes moved to an IRC for the night, if they are to be removed the next day, but the stay there may be very brief (sometimes ludicrously so), and little benefit will come from the move, especially taking into account the further time required to book people into and out of the IRC. Despite the inadequacies of the holding room they may well have been better off just staying there for the night. In a single meeting the Board considered three such cases that had occurred towards the end of the reporting period:

- *A man left the holding room at 20.35 to go to Heathrow IRC, arriving there at 21.40. He was transferred back in to the custody of Tascor escorts at 03.15*
- *Two women left the holding room at 02.45 to go to Heathrow IRC, arriving there at 03.30. They were collected for transfer back to the airport at 06.10*
- *A man left the holding room at 00.30 to go to Heathrow IRC, arriving there at 01.40. A mere 26 minutes later he was collected from the IRC to travel back to the airport for a flight at 06.30.*

The rationale for any such move will be even more questionable if the IRC involved is more distant, such as Tinsley House near Gatwick, where further time will be taken up by travelling.

7.4 As has been recommended in our previous reports the Board remains firmly of the view that a residential short-term holding facility should be provided airside at Heathrow. It is aware of the Home Office view that the start up and running costs for such a facility would be prohibitive given the anticipated usage but believes that the numbers involved, as has been described over several annual reports, certainly justify the case. This report repeats the point that even improved holding rooms will not provide satisfactory overnight accommodation for the substantial number of people detained at Heathrow

Recommendations:

7A The Home Secretary and Tascor should ensure that no detainee is moved from Heathrow to an IRC for the night unless this provides sufficient opportunity for proper rest and sleep and personal hygiene.

7B The Board repeats its recommendation from previous years that the Home Secretary should provide a residential holding facility at Heathrow.

8 CHILDREN

8.1 Tascor's monthly length of stay statistics show that 1,308 children were detained at Heathrow in the different holding rooms during the year under review:

Location	Unaccompanied children	Family units with children	No. of children with their family	Total children
Terminal 2	110	110	160	270
Terminal 3	38	112	205	243
Terminal 4	84	185	302	386
T5	72	138	220	292
Total in terminals	304	545	887	1191
Cayley House	1	18	31	32

The overall numbers of children detained have fallen slightly from 1282 in the previous year, but there has been a 28% increase in the number of unaccompanied children from a previous figure of 237. More children were held at Terminal 4 than any other holding room and this was also 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 Tascor's contractual obligations in relation to children, both unaccompanied and in families, are to:

- Ensure there is a positive engagement with them rather than just passive monitoring
- Ensure that each child and unaccompanied minor has the opportunity to engage in enjoyable activities which entertain them and occupy them while they are in the contractor's care
- Ensure that wherever possible children and their families and unaccompanied minors are given priority while they are in the contractor's care

Accommodation

8.3 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 are no separate lavatory and washing facilities. The space for children at Terminal 3 is particularly small and there is no dedicated accommodation at all at Terminal 4, despite the fact that by a large margin more children are held there than at any of the other terminals. Instead there are separate rooms for men and for women with children having to be accommodated in the women's room, where husbands may also be

present. Though relatively few children are detained at Cayley House, the accommodation there is bleak and unwelcoming, reflecting the more general characteristics of the building. Where separate rooms exist, they are unimaginatively equipped and decorated, painted a uniform white with predominately adult furniture and a few uninspiring pictures. Children respond to bright colours and soft furnishings but these are both in short supply.

Passing the time

8.4 Although the Board sees examples of DCOs attending to the needs of children and families, it is difficult to do this in the environment and circumstances in which they have been detained. There has been some attempt to provide suitable toys with good quality storage boxes labelled in age ranges. However the toys inside are no longer differentiated by age and appear to be mainly for pre-school children, with older children and teenagers being less well provided for. There is some good quality interesting reading material but not all of it is appropriate. Where colouring sheets and puzzles have been provided these have been well used but they are not changed regularly. There are very few small world toys (for example play people, toy animals and model cars), which would enable children to engage in more imaginative play. There is a good supply of mega bricks but again building toys such as lego or duplo would be a good addition. On two occasions the television in the family room was tuned to a news channel, which is not appropriate for young children, especially when dedicated children's channels such as CBeebies are accessible. There is a wii at each room and a range of videos that can be watched. Children can keep their electronic devices and play games on them, so long as they do not include a camera.

Transfers to Tinsley House

8.5 If casework 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 moved to Tinsley House IRC, which is almost 50 miles away near Gatwick Airport. The move may take place at night, may involve a detour to Tascor's depot at Heston outside the airport, and may involve vehicle changes, this already after a stay of several hours in the holding room. There will then be the same process in reverse the following day. Whether this truly provides "overnight accommodation" is obviously open to question and such events hardly show proper regard to the welfare of the children concerned. Some examples were:

- *A family with a thirteen old boy was admitted to the holding room at 10.45 and left fourteen hours later at 00.45 for transfer to Tinsley. They arrived back at the airport for removal at 12.20*
- *A man and his two children aged eight and fourteen were admitted to the holding room at 12.30 and eventually left nearly 13 hours later at 01.15 for transfer to Tinsley. They were collected from the IRC at 8.05 for a flight at 13.10*
- *A woman and her three year old daughter were admitted to the holding room at 10.40, and left it 13 hours later at 23.50 for transfer to Tinsley. They arrived back at Heathrow at 12.20 the next day.*

The Board believes such cases are a further compelling argument for having an airside residential short-term holding facility at Heathrow which among other things would provide appropriate child care and avoid the need for overnight journeys.

Unaccompanied children

8.6 As has already been noted there has been a significant increase in the number of unaccompanied children detained, from 237 to 304. The first figure had also risen from 172 in the year before that. Many unaccompanied children are detained for only a short time. Some will go to local Social Services Accommodation, but may have to wait some hours before somebody can come to collect them. However, others, especially those who are going to be removed, are among those detainees who have to stay in the holding room overnight, due to the impracticality of Social Services finding them short-term accommodation, the early departure of their flight or the fear that they may abscond. Some examples were:

- *A girl of 16 arrived in the holding room at 18.25 and left to go on a flight at 20.45 the next day. The Board was told the local authority had been unable to accommodate her.*
- *Another 16 year old girl arrived in the holding room at 12.32 and left to go on a flight at 07.35 the following day. Social Services had recommended she remain in the holding overnight because they were concerned she might abscond from any accommodation they could provide*
- *Four teenagers aged between 13 and 17 arrived at 01.15 with a large group of men, all seeking political asylum. They did eventually go to Social Services accommodation, but not until 14.00.*

Potential child abuse

8.7 The phone numbers posted in the holding rooms include information about contacting Child Line, the free 24 hour counselling service for children and young people, which includes dealing with child abuse. However, the information is in very small print and is too high up the wall for a child to see. The Board's concerns about this are made in the context that some young people passing through the airport, especially young girls, may have been subject to trafficking and others may have suffered female genital mutilation. The Board is aware that these are live issues for Border Force.

Recommendations:

8A The Home Secretary should provide dedicated accommodation for children at Heathrow so that there is no need for any child to have to remain in a holding room overnight.

8B Tascor should regularly inspect the toys kept in the holding rooms to confirm that there are sufficient for all ages of children and that replacements are quickly provided when necessary.

8C The Home Secretary should ensure that if families with children have to be moved from Heathrow to Tinsley House, 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 ensure that information from Child Line in the holding rooms is displayed where it can be clearly visible to children.

9 VULNERABLE ADULTS

9.1 The Board observed many examples of good interaction between Border Force and Tascor staff and detainees seen as vulnerable, who now found themselves stopped and taken into custody. In almost all cases Border Force staff were polite and friendly. We also noted many examples of DCOs being friendly and re-assuring, carrying out inductions with good humour and then acts of care and kindness once the induction was completed. Elderly people were always particularly well looked after. It was helpful in some cases that an Immigration Officer or DCO was able to speak to the detainee in their own language. In another case language issues were quickly resolved by a DCO accessing an interpreter on the telephone with the result that the detainee was able to communicate important information about her medical condition.

9.2 There were still some issues of concern and examples of insufficient care and attention being displayed. When the holding rooms were busy DCOs did not always have time to attend to the particular needs of vulnerable people. There were some examples of induction information not being as carefully explained by DCOs as it should have been. There is also a need to preserve the privacy of detainees and respect confidentiality and so ensure that conversations with them are not conducted within the hearing of other people, even at busy times. Similarly all searching should be carried out where other people cannot see it. At Cayley House the women's holding room is some distance from the office and is beyond the various other rooms used by staff, so that it is very easy for women to feel isolated and forgotten. We were also concerned by some cases where people who had been given temporary admission, were then having to travel long distances back to Heathrow for interview, but have been informed that these arrangements cannot be changed as the port of entry has to retain responsibility for the case.

9.3 There were a number of cases where the issue of vulnerability related to the concern that the detainee was subject to trafficking. In one case the woman concerned was able to go to accommodation run by the Salvation Army, though sadly she later absconded. In other cases Border Force spent a considerable amount of time investigating the circumstances of the case and ascertaining that the detainee's sponsor was a safe and responsible person.

Passengers in wheelchairs

9.4 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. In our previous report we commented on how two elderly detainees with walking difficulties had almost missed a flight because airport staff were late in coming to the holding room to collect them. In the present reporting period a teenager with a serious progressive medical condition arrived in the holding room in a wheelchair and had to be lifted by her father on to a lounge, where she found it difficult to lie down because of her pains. They had to remain in the holding room for over six hours before transport arrived to take them to refugee accommodation. Such incidents are mercifully rare but need to be properly prepared for with appropriate contingency plans in place to ensure disabled people receive an equivalent service to that given to others

Recommendation

9A The Home Secretary and Tascor should review by December 2016 the provision made for disabled people in the holding rooms to confirm that facilities there are sufficient for them and that they receive an equivalent service to detainees who do not have a physical disability.

10 REMOVALS

10.1 The Board monitors the removal of detainees being removed from the United Kingdom up to the point when the aircraft door is closed. Some of these fly “unescorted” in the sense that they are brought from an IRC to Cayley House, are taken to the aircraft by DCOs and then fly by themselves. These are known as in-country escorted removals. It is unusual for these to pass off without the complete co-operation of the individual concerned.

10.2 Other detainees will be escorted during the flight to their final destination, wherever it may be in the world. These are known as escorted overseas removals and usually take place because the person may have refused to go voluntarily, is assessed as presenting a risk to themselves or to others, or is being deported having served a prison sentence for a serious offence. The escorting team normally comprises a lead and two or more other escorts, plus somebody with medical training if there are any anticipated health-related issues. The procedure is for the team to collect the detainee from the IRC, and stay with them throughout the subsequent journey. If a detainee is physically resistant to being removed escorts have authority to use waist and leg restraining belts, which have been approved by the Home Office, to restrict movement of their arms and legs, although the leg restraints are used very rarely. The Board has observed some detainees having to be carried on to the aircraft and down the aisle to their allocated seats at the rear.

10.3 Despite anticipated fears many escorted removals still pass off with the detainee being completely co-operative, though even in these cases the detainee will be held by the arms during the walk from the Tascor van to the aircraft. In the past the Board has queried the need for this when there has been absolutely no resistance, but has been told it has been approved by the Home Office as there could be disastrous consequences, such as runways having to be closed, if somebody was able to escape their escorts once they were airside

10.4 We are pleased to record that we have observed both in-country and overseas escorts being polite and considerate to detainees and doing all they reasonably can do to ensure a trouble-free departure. This has included offering them food and use of a mobile telephone, checking whether they need to use the lavatory and giving re-assuring information about the flight and arrival times at the final destination. There have been a small number of cases where we have queried whether use of a restraining belt was necessary and whether the escorting team was being over-cautious, but in the main any use of force or other physical restriction has been appropriate to the circumstances of the case, and escorts have behaved in a proper manner, sometimes in circumstances of extreme difficulty and aggravation.

10.5 Some examples of the proper management of violent behaviour were:

- *The detainee threatened to spit and soil himself on the aircraft. The escorts maintained a calm atmosphere in an increasingly tense situation*
- *The man was asked to walk up the steps to the aircraft but was shouting and physically resistant. He was carried up the steps in an upright position with his feet free, the whole procedure being carried out very speedily. Once on the plane the man continued to shout*

and at one point attempted to bite an escort. An Immigration Officer was present and explained to other passengers what was happening on instructions of the aircraft captain

- *The man was brought to the aircraft in plastic trousers and restraints, there having been previous dirty protests and unsuccessful removals. The IMB monitor commented 'the removal of this passenger was done with considerable thought by the escorts who interacted with him throughout and talked about football and various teams. The female driver was also very good, joking with him and there was a lot of banter between them all. A very successful removal.'*

10.6 As well as direct monitoring of escorted removals Board members have twice during the year read a selection of Home Office reports on detainees being removed under escort where there had been use of force, some of these relating to cases we had already monitored ourselves. The records gave additional information about the context and reason for use of the force, including use of the restraining belts. In some cases this related to behaviour before the detainee reached Heathrow, and some of these people had then become calm and co-operative. On other occasions lead escorts took the decision that restraints should be applied while the detainee was calm as a means of control should there be later resistance. However, other detainees with significant risk factors were successfully removed without use of restraints.

10.7 There was a good level of consistency between the reports written by the escorts and those of Board members when these related to the same period of time, although IMB reports gave far more information about the quality of engagement between the detainee and their escorts during the long wait that often preceded boarding of the aircraft after reaching the aircraft stand. The IMB reports were all complimentary about the escorts who were conversing with the detainees, answering questions, giving advice, and also using a lot of general social conversation to keep the detainee as calm, relaxed and compliant as possible. This level of engagement and professionalism under stress was not usually articulated in the escorts' own factual reports.

Family removals

10.8 The Board is now informed in advance of all cases where families are to be removed from the United Kingdom and this is always done by a dedicated family removals team. We monitored four such removals during the course of the year from the point of arrival at Heathrow to the aircraft's departure. In one case the family had already flown down from Scotland and the removal had previously been monitored by the IMB at Glasgow Airport.

10.9 All the removals were successful and in all of them there was excellent rapport between members of the team and the children, with each child having a dedicated escort who kept them occupied during the long periods of waiting and, when it happened, shielded them from the parent's distress or disruptive behaviour. The latter included boarding the children separately to the aircraft when the parent was in a restraining belt and resistance was anticipated. However the coach used to move one of the families could have been cleaner, and water should have been available both for hand-washing after use of the lavatory and drinking while waiting to board.

Operation Perceptor

10.10 Operation Perceptor was introduced by the Home Office during 2015 and involves people who have exhausted their claims to stay in the United Kingdom being brought directly to the airport for removal from their reporting centres. We have been told these are all people who have been assessed as suitable to go unescorted on flights. It is too early to give any view on the scheme, nor do we have knowledge of the numbers involved, or how many people having been brought to Heathrow then refuse to go and have to be taken to an IRC. However, we do have an immediate concern that those concerned are transported in vans with clear windows that are also clearly identified as 'Home Office Enforcement', thus denying them the invisibility provided in Tascor vans. The latter have shaded windows in line with the Home Office's contract requirement for vans that *'The Service Provider shall ensure all windows are sufficiently tinted to protect the privacy of a detainee.'*

Use of handcuffs

10.11 DCOs have to wear handcuffs as a standard item. Whereas staff involved in escorted removals (who are not in uniform) tend to wear them discreetly, they are much more visible when Cayley House DCOs take detainees through the departure lounges to aircraft. This is despite the contract requirement that Tascor should *'ensure that when undertaking an escort a detainee is exposed as little as possible to public observation and proper care is taken to protect them from curiosity, insult and physical or verbal abuse.'* Although the context is different, the Board believes similar rules should apply to the visibility of handcuffs carried by holding room DCOs, and that in all of these situations handcuffs ought to be kept in the pouches that have been supplied to Tascor by the Home Office, rather than being on public display.

Night-time journeys

10.12 In previous reports the Board has expressed concern that there have been frequent examples of detainees who are to be removed unescorted arriving at Cayley House well in excess of the requirement that their arrival should not be more than five hours before their flight departure time. Sometimes too this has been after their already having had to undertake a lengthy journey at night. There is the impression that such cases have been fewer in number during the current reporting period, which may relate to the closure of the IRC at Dover. Nevertheless it is still likely that male detainees coming from more distant IRCs, such as men from Campsfield House near Oxford and The Verne in Dorset, and women from Yarl's Wood in Bedfordshire, will still have been subject to night-time journeys. The Board will continue to monitor the situation and to seek re-assurance that these will only occur when no other travelling arrangements are practical. It welcomes the statement in Stephen Shaw's report that *'it is common decency to move people only in those hours when they are more naturally alert and aware of what is happening to them.'*

Failed removals

10.13 The Board has seen occasional instances of removals not going ahead because of administrative failures. This is to be very much regretted, especially in the context of the frustration and possible distress caused to the individual who has been brought to the airport and was

expecting to leave the country, and gives the impression, even if not intended, that those concerned are just commodities rather than people. Some examples were:

- *A man was brought to the airport late and so only arrived at the departure gate 15 minutes before the flight with the result that the airline refused to take him*
- *In one single day three removals had to be cancelled after it had been discovered identifying documents were not in their property, as had been thought. In two of the cases this was because the documents had not been put in their property at the prison*
- *A man was brought to Cayley House for removal but this had to be cancelled because the required emergency travel document to enter the destination country had failed to arrive*

Information leaflet

10.14 In response to a recommendation in a previous annual report, the Home Office agreed that there should be an information leaflet to give to people who were to be removed from the United Kingdom through Heathrow. After a delay of many months a draft version was shown to the Board and commented on in October 2015, and has now been finalised and distributed. Despite the long delay this is obviously to be welcomed.

Recommendations

10A The Home Secretary should ensure that all vehicles being used to transport detainees to Heathrow should have shaded windows.

10B Tascor should instruct DCOs that hand-cuffs should be carried in the pouches supplied by the Home Office, so that they are not visible to either detainees or the general public.

10C Tascor should only transport detainees through the night when no other arrangements are practicable

11 HEALTHCARE

11.1 If a detainee is demonstrably unwell, one of the London Ambulance Service's paramedics who patrol the airport can be summoned. If there is any doubt as to a detainee's condition they are taken to hospital. During the course of the year the Board has seen many examples of good practice by DCOs dealing efficiently and empathetically with detainee's medical problems and seeking outside help and advice when this was necessary.

11.2 Detainees are allowed to take medication that they have with them, but this is subject to its being clearly labelled and identifiable, and the DCOs being able to check on its safety and suitability on a medical help line. The Board has seen instances of medication being withheld because it was not in a clearly labelled container, despite pleas from the detainee that they knew what they were taking and that they took it as part of a daily regime.

11.3 The Home Office has not accepted previous recommendations from the Board that provision should be made for detainees to be supplied with non-prescription pain-killers. This is because of concern that a detainee might suffer an adverse reaction or attempt an overdose. It was also considered that a paramedic would need to attend to issue a painkiller and the cost could not be justified. 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, and it has been cleared on the medical help-line. Aircraft interiors are not healthy environments and it would not be unusual for any person to seek medical relief after flying, especially if the latter has been long-haul. In some cases problems about the need for pain relief are further exacerbated when the detainee has to spend several hours in the holding room. Despite the previous rejection the Board believes that a solution must be found to this impasse and repeats the recommendation.

11.4 During one visit Board members were concerned about the lack of knowledge and indeed fearfulness among DCOs in relation to a detainee who had suffered from a communicable disease (Hepatitis C), and the fact that they were keeping him in isolation in part of the holding room, this despite medical information that he was no longer receiving treatment. The Tascor response was that their concern was justifiable and that they could if necessary have called the medical help-line for advice. It would have been better if the DCOs could have been briefed before the detainee was admitted to the holding room in relation to how they should deal with him, and any special precautions they needed to take in offering him food, drink and blankets, and in his general contact with themselves and other detainees.

11.5 There are serious problems at Heathrow in dealing with passengers who arrive with demonstrable symptoms of mental illness and Border Force itself has acknowledged that this is a problem and there is a need to make better provision. The Board Chair has received complaints from an IRC about detainees being sent there, because that was perhaps the easiest solution, when really they were in need of hospital care. Two examples noted by the Board in rota visits were:

- *A man was detained from 09.40 to 20.35, and then sent to an IRC. He apparently suffered from bi-polar disorder and had been previously sectioned under the Mental Health Act.*

There was no sponsor to give him temporary admission so detention in the IRC was seen as the best option. He was returned to Heathrow at 03.15 for a flight at 08.40

- *A woman due to be returned on a flight immediately was refused travel by the airline because of her behaviour. She returned to the holding room at 18.30 and at 19.40 was taken to Heathrow IRC, quite close to the airport. No bedrooms for single occupancy were available there, so she was taken further to Yarl's Wood where again no single room was available. She arrived back in the holding room at 03.00 and stayed there a further nine hours before a bed in an IRC was finally found.*

11.6 The Board has also noted cases of insufficient medical information being provided to escorting staff prior to removal. In one case it was not apparent that the detainee had previously been assessed as a suicide risk. In another, escorts were not informed the man had been a heroin addict and was now on methadone until they arrived to collect him.

Recommendations:

11A The Home Secretary and Tascor should allow detainees access to non-prescription pain-relieving drugs when this has been requested.

11B The Home Secretary should review the current arrangements for dealing with mentally ill people arriving at Heathrow to ensure that they are properly assessed by a health service provider.

11C The Home Secretary and Tascor should ensure that DCOs involved in the removal of detainees are always fully briefed in advance about any relevant medical history.

12 DIVERSITY

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

12.2 A reasonable effort is made to provide a range of food that meets different cultural and dietary requirement, both through the sandwiches and the choice of hot meals. Kosher meals can usually be supplied to other holding rooms on request.

12.3 Copies of the Bible and the Quran are available in the holding rooms, but there has been evidence of the latter not always being stored respectfully and appropriately. Prayer mats are also provided. Some religions require ritual washing before prayer, which is very difficult when only small hand basins are available and no paper towels are provided. A qibla arrow or compass in each of the rooms indicates the direction of Mecca.

12.4 None of the holding rooms allow natural light and so it is not possible for detainees to know when the sun rises and sets, which is particularly important for Muslims in relation to Ramadan. Calendars indicating the times of sunrise and sunset have been displayed during Ramadan in previous years, but this had not been arranged by the time Ramadan commenced in June 2015. This failing needs to be addressed in future years.

Recommendation:

12A Tascor should post the time of sunset and sunrise in holding rooms throughout the year.

13 COMPLAINTS

13.1 Detainees are not able to submit comments and complaints to the Board in the way that would be possible at an IRC or prison. This is because the majority would have left the country before the Board could respond. However, 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, including English, but has very rarely been used. However, the Board was contacted in June by a man who had been removed to Pakistan without important documents related to his qualifications and previous employment. This was successfully resolved, and an email with thanks received.

13.2 The Board has noted the comments in Stephen Shaw's report welcoming the introduction of body cameras to be worn by staff in IRCs. In its previous report it recommended that such cameras would provide additional safeguards for both staff and detainees during removal operations. It was disappointing that the recommendation was rejected by the Home Office not just because the airlines would not allow filming on aircraft, but also for reasons of cost. It makes no further recommendation at this point but urges that the matter should stay under consideration

14 THE WORK OF THE BOARD

14.1 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 the feedback it receives on the issues raised.

14.2 The Board Chair attends the Pan-Heathrow Detention meeting, a bimonthly liaison meeting attended by Border Force, the Home Office and Tascor. A Board member also attends the Detainee Welfare Forum and the Safeguarding Meeting for children and vulnerable adults, which are convened by Tascor. Time-tabling of the latter meetings was erratic for most of 2015, but more regular arrangements have now been re-instated. This is obviously welcomed as each is a potentially useful forum.

14.3 Membership of the Board has been unsettled. Four new members were recruited in the autumn of 2014 but their appointments were not approved by the Home Office until August 2015. It was unfortunate that one then resigned almost immediately because of work commitments, while another went on maternity leave at the end of the year. Another member then resigned after a long period of ill-health and finally, at the end of the year, two of the Board's most experienced members were required to resign because of the rules about tenure. The Board has therefore gone into 2016 with only seven members, with two of these being still in their probationary year. It needs to recruit new members and will start a fresh campaign to do this in April.

14.4 Members of the Board have monitored four Home Office charter flights during the reporting period, respectively to Nigeria and Ghana; to Pakistan; and twice to Albania. This was part of the experimental monitoring of flights, undertaken by members from various Independent Monitoring Boards at the request of the Home Secretary. A member of our Board has now taken on the additional responsibility of chairing and organising this monitoring activity, which is to become a formalised arrangement.

SUMMARY OF RECOMMENDATIONS

Recommendations to the Home Secretary

4A The Home Secretary should ensure that the rebuilding and refurbishment of the Terminal 3 and Terminal 4 holding rooms is progressed without any further delay.

4B As a matter of urgency the Home Secretary should agree a timetable with HAL for the rebuilding and refurbishment work to be undertaken at Terminal 5.

5A The Home Secretary should ensure that a Chief Immigration Officer at each terminal checks on the reasons for any person being detained in the arrivals hall for longer than 40 minutes and seeks an explanation as to why they cannot be taken to a holding room.

6B The Home Secretary should arrange that detainees have access to independent legal advice at all times and if this is not possible they 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 sufficient access to the internet to enable them to provide information required by Border Force.

7B The Board repeats its recommendation from previous years that the Home Secretary should provide a residential holding facility at Heathrow.

8A The Home Secretary should provide dedicated accommodation for children at Heathrow so that there is no need for any child to have to remain in a holding room overnight.

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

10A The Home Secretary should ensure that all vehicles being used to transport detainees to Heathrow should have shaded windows.

11B The Home Secretary should review the current arrangements for dealing with mentally ill people arriving at Heathrow to ensure that they are properly assessed by a health service provider.

Recommendations to the Home Secretary and Tascor

7A The Home Secretary and Tascor should ensure that no detainee is moved from Heathrow to an IRC for the night unless this provides sufficient opportunity for proper rest and sleep and personal hygiene.

9A The Home Secretary and Tascor should review by December 2016 the provision made for disabled people in the holding rooms to confirm that facilities there are sufficient for them and that they receive an equivalent service to detainees who do not have a physical disability.

11A The Home Secretary and Tascor should allow detainees access to non-prescription pain-relieving drugs when this has been requested.

11C The Home Secretary and Tascor should ensure that DCOs involved in the removal of detainees are always fully briefed in advance about any relevant medical history.

Recommendations to Tascor

6A Tascor should confirm by July 2016 that the provision of mobile phones has allowed all detainees to make a five minute phone call to anywhere in the world and if this has not been possible to any country what other arrangements have been made.

8B Tascor should regularly inspect the toys kept in the holding rooms to confirm that there are sufficient for all ages of children and that replacements are quickly provided when necessary.

8D Tascor should ensure that information from Child Line in the holding rooms is displayed where it can be clearly visible to children.

10B Tascor should instruct DCOs that hand-cuffs should be carried in the pouches supplied by the Home Office, so that they are not visible to either detainees or the general public.

10C Tascor should only transport detainees through the night when no other arrangements are practicable.

12A Tascor should post the time of sunset and sunrise in holding rooms throughout the year.

ABBREVIATIONS

DCO	Detainee Custody Officer
HAL	Heathrow Airport Limited (the owners of Heathrow Airport)
IRC	Immigration Removal Centre
NAAU	National Asylum Assessment Unit (a Home Office department)