

Her Majesty's Inspectorate of Prisons

# EXPECTATIONS

Criteria for assessing the conditions for and treatment  
of immigration detainees

Version 3, 2012



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HM Inspectorate of Prisons

# EXPECTATIONS

Introduction

## Introduction

# Introduction

This is the third edition of our *Expectations* for immigration detention– the criteria we use during our inspections to assess the treatment and conditions of those held in immigration removal centres, short-term holding facilities, family detention and under escort, both within the UK and overseas.

These *Expectations* were drawn up after extensive consultation and are based on and referenced against international human rights standards. They are part of the process by which UK fulfils its obligations as a signatory to the Optional Protocol to the Convention Against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT). They reflect that immigration detainees are not held because they have been charged or convicted with a criminal offence and their detention has not been authorised through any judicial process.

These changes are part of a systematic revision of our expectations for all the establishments we inspect to ensure they focus squarely on the outcomes for those held, rather than simply checking process and procedure. However, we recognise that the administrative nature of this type of detention means that procedural safeguards and processes have a particular importance, and our inspections will continue to examine and report on their implementation.

*Expectations* are brigaded under four healthy prison tests – safety, respect, activities and preparation for release. These reflect the tests we apply in all our inspections, adjusted to reflect the nature of immigration detention. Each expectation is underpinned by a series of ‘indicators’, which describe the evidence that will normally indicate to inspectors whether the outcome is likely to have been achieved or not.

**Expectations** describe the standards of treatment and conditions we expect an establishment to achieve.

**Indicators** suggest evidence that may indicate whether the expectations have been achieved. The list of indicators is not exhaustive and these do not exclude an establishment demonstrating the expectation has been met in other ways.

We hope these revisions will lead to more accessible reports that help establishments and service providers improve while still providing the necessary assurance to external interested bodies. We expect this approach to lead to greater local accountability for the action plans that providers draw up in response to our reports, and clear evidence of improvement when we review progress at subsequent inspections.

*Expectations*, therefore, continue to provide the foundation for robust independent inspection of immigration detention that seeks to ensure that all immigration detainees are held safely for the shortest time possible, treated respectfully and given the help they need to prepare for release or return.

**Nick Hardwick, Chief Inspector of Prisons**  
**September 2012**



HM Inspectorate of Prisons

# EXPECTATIONS

## Healthy establishment tests

Healthy establishment tests

## Healthy establishment tests

### Healthy establishment tests

HM Inspectorate of Prisons' four tests of a healthy establishment:

<b>Safety</b>	Detainees are held in safety and with due regard to the insecurity of their position.
<b>Respect</b>	Detainees are treated with respect for their human dignity and the circumstances of their detention.
<b>Purposeful activity</b>	The centre encourages activities and provides facilities to preserve and promote the mental and physical wellbeing of detainees.
<b>Resettlement</b>	Detainees are able to maintain contact with family, friends, support groups, legal representatives and advisers, access information about their country of origin and be prepared for their release, transfer or removal. Detainees are able to retain or recover their property.

Expectation areas encompassed within the four healthy establishment tests for immigration removal centres:

<b>Safety</b>	<ul style="list-style-type: none"><li>• Escort vehicles and transfers</li><li>• Early days in detention</li><li>• Bullying and violence reduction</li><li>• Self-harm and suicide prevention</li><li>• Safeguarding (protection of adults at risk)</li><li>• Safeguarding children</li><li>• Security</li><li>• Rewards scheme</li><li>• The use of force and single separation</li><li>• Legal rights</li><li>• Casework</li></ul>
<b>Respect</b>	<ul style="list-style-type: none"><li>• Residential units</li><li>• Staff-detainee relationships</li><li>• Equality and diversity</li><li>• Faith and religious activity</li><li>• Complaints</li><li>• Health services</li><li>• Substance misuse</li><li>• Services</li></ul>
<b>Activities</b>	<ul style="list-style-type: none"><li>• Learning and skills and work provision</li><li>• Library</li><li>• Fitness provision</li></ul>

## Healthy establishment tests

### Preparation for removal and release

- Welfare
- Visits
- Communications
- Removal and release

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Expectation areas encompassed within the healthy establishment tests for short-term holding facilities, overseas escorts and family detention facilities:<sup>1</sup>

### Safety

- Escort vehicles and transfers
- Arrival
- Bullying and personal safety
- Self-harm and suicide prevention
- Safeguarding (protection of adults at risk)
- Safeguarding children
- Use of force and single separation
- Legal rights
- Casework

### Respect

- Accommodation
- Positive relationships
- Equality and diversity
- Faith and religious activity
- Complaints
- Health services
- Catering

### Activities

- Facilities and provision

### Preparation for removal and release

- Contact with the outside world
- Welfare needs

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Each expectation area provides an expected outcome, expectations and indicators.

### Expectations

Describe the standards of treatment and conditions we expect an establishment to achieve.

### Indicators

Suggest evidence that may indicate whether the expectation/outcomes have been achieved. The list of indicators is not exhaustive and they do not exclude an establishment demonstrating the expectation has been met in other ways.

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<sup>1</sup> Certain healthy establishment tests and expectation areas are not relevant to all types of holding facilities and escorts, for example 'activities' for overseas escorts.

# HM Inspectorate of Prisons

## EXPECTATIONS

### Section 1: **safety**

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

Escort vehicles and transfers

Early days in detention

Bullying and violence reduction

Self-harm and suicide prevention

Safeguarding (protection of adults at risk)

Safeguarding children

Security

Rewards scheme

The use of force and single separation

Legal rights

Casework

Section 1: **safety**

# Escort vehicles and transfers

Detainees travelling to and from the centre are treated safely, decently and efficiently.

## Expectations

### 1. Detainees travel in decent conditions during escort and are treated with respect.

#### Indicators

- Escort staff are polite and respectful to detainees.
- Detainees are held in vehicles for the minimum possible period of time.
- Detainees under escort are provided with refreshments and comfort breaks if their journey exceeds two and a half hours. Detention and transfer are properly documented.
- Detainees are not subject to excessive movements around the detention estate and night-time moves are kept to an absolute minimum, with specific reasons for any such moves clearly recorded on movement documentation.
- Detainees are escorted in vehicles that are safe, secure, clean and comfortable, with adequate storage for their property and with emergency supplies and hygiene packs suitable for the needs of specific groups, such as women and children.
- Escort staff ensure that detainees receive an adequate meal and drink at mealtimes.
- Detainees are transferred from police cells as soon as possible and spend no more than one night in police accommodation.

#### References

BOP 1, 5(2);  
CCLEO 2;  
CRC 3;  
ICCPR 10(1)

### 2. Detainees are safe at all times while under escort, and individual needs are recognised and given proper attention.

#### Indicators

- Male and female detainees and children are transported separately, unless related.
- Appropriate vehicles are used to transport detainees with specific needs, such as pregnant women, women with babies, children, and detainees with a disability, in a dignified manner.

#### References

BOP 1, 5(2);  
CRC 3, 37(c);  
UDHR 3

- Staff who escort children are subject to enhanced criminal background checks and are trained in and fully conversant with their statutory duty to safeguard and promote the welfare of children.
- Information relating to individual needs and risks is passed between places of detention and is known to escort staff.
- Detainees who need to take medication during escort are able to do so.
- Methods of restraint are only used if they are justified by an individual risk assessment, including for visits to outside medical or dental appointments.
- The UK Border Agency obtains and makes available relevant background information on children and families for escort staff prior to detention.
- Arrest teams allow detainees adequate time to prepare for their journey, to dress appropriately and to collect essential belongings.

**3. Detainees understand where they are going, why they are being transferred and what to expect when they arrive.**

**Indicators**

- Detainees are given reasonable notice of and the reasons for planned transfers in a language they understand. They are able to make telephone calls to their families and legal advisers, free of charge if they are without means.
- Detainees are given information in a format and language they understand.

**References**

BOP 13, 14,  
16 (1, 2),  
18(1), 19;  
BPRL 8

# Early days in detention

On arrival, detainees are treated with respect and care and are able to receive information about the centre in a language and format that they understand.

## Expectations

### 4. Detainees feel and are safe on their reception into the centre and for the first few days in detention.

#### Indicators

- Escort providers routinely contact the centre to which they are travelling in advance of arrival to advise them of whom they are carrying.
- All detainees arrive with correct documentation, including evidence of authority to detain (IS91) and the reasons for detention (IS91R).
- Detainees with specific needs, such as pregnant women, older and disabled detainees and those with mental health problems, receive appropriate priority.
- Detainees receive a private interview, including assessment for the risk of self-harm or suicide and a room sharing risk assessment, before location on residential units.

#### References

BOP 2, 5(2),  
24;  
UDHR 3

### 5. Detainees are treated with respect on arrival at the centre.

#### Indicators

- Detainees are received promptly into a welcoming area that is clean, supervised and suitable for its purpose.
- Detainees are greeted courteously by staff in reception. Staff establish the nationality of the detainee and their first and other languages.
- The gender ratio of staff in reception is appropriate to receive detainees and undertake searching procedures. Detainees are searched sensitively.
- Translated information is provided in the form of notices, booklets and CDs/DVDs and gives details of the centre and of the reception process. Interpretation is provided as necessary.

#### References

BOP 1, 13,  
14, 16, 19,  
24;  
CCLEO 2;  
DRM 2(1);  
ICCPR 10(1)

- Detainees are promptly screened by health services staff in private on arrival, with interpreting if necessary.
- If a passport or any other documents are withheld by staff, detainees are provided with reasons, a receipt and a copy of the documentation.
- Detainees are able to have a shower soon after their arrival. If necessary, clean clothing is provided.
- Detainees are able to make free telephone calls in private on reception. Those without means are able to make free calls as necessary.
- Detainees are offered drinks and hot food on arrival.
- The reception process is completed as quickly as possible. Detainees are offered something to occupy them while they are waiting. Staff are proactive in engaging with detainees.

## 6. Detainees are fully supported on arrival and during their early days in detention.

Indicators	References
<ul style="list-style-type: none"> <li>• Detainees are given immediate assistance with pressing support needs.</li> <li>• Staff introduce themselves to new detainees on the residential units and wear identification that clearly displays their name and status. Information about detainees' needs is communicated between staff sensitively, especially if it is related to medical issues.</li> <li>• Detainees spending their first night in the centre are identified to night staff who offer appropriate support and regularly check on their wellbeing throughout the night.</li> <li>• Detainees' first night accommodation has been prepared, is clean and provides a comfortable environment.</li> <li>• Detainees are able to obtain basic toiletries on arrival.</li> </ul>	BOP 1

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**7. Detainees understand the centre's routines and how to access available services that will help them cope with detention.****Indicators****References**

- Induction starts on the day following reception.
- Induction is comprehensive, structured and multidisciplinary. Following induction detainees understand key information such as visits, access to immigration staff and legal advice, health care, education and other activities. Detainees are told about the Independent Monitoring Board and how to get in touch with a member of the Board.
- Induction is provided in a range of accessible formats with interpretation and translations where necessary. Key information is given to detainees in written formats that they can understand.
- Detainees are given information about the sources of help available, including the multi-faith team, peer support and welfare support.

BOP 13, 14

# Bullying and violence reduction

Everyone feels and is safe from bullying and victimisation. Detainees at risk or subject to victimisation are protected through active and fair systems known to staff and detainees.

## Expectations

### 8. Detainees feel and are safe from bullying and victimisation from other detainees and staff through a clear and coordinated multidisciplinary approach.

#### Indicators

- Staff confront and challenge unacceptable behaviours.
- Interventions achieve sustained changes in behaviour.
- A violence reduction strategy is in place that is based on an analysis of the pattern of bullying and violence in the centre and on consultation with detainees.
- Detainees are consulted and involved in determining how their lives in detention can be made safer, how bullying is confronted and how conflicts can be resolved.
- Staff supervision provides protection for detainees in all areas of the centre.
- Detainees are protected from unwanted sexual attention.

#### References

BOP 1, 13,  
14;  
UDHR 3

### 9. Detainees at risk or who have been subject to bullying or victimisation are protected from any further victimisation through active and fair systems, which are known and used by all staff.

#### Indicators

- Allegations of bullying behaviour are addressed promptly, consistently and fairly. Incidents are investigated and their outcomes recorded, and the detainee who reported, or was the victim of, the bullying is kept informed and supported.
- Detainees are made aware of behaviour that is unacceptable through a well publicised policy and are informed of the consequences of bullying.

#### References

BOP 13, 14;  
UDHR 3

# Self-harm and suicide prevention

The centre provides a safe and secure environment that reduces the risk of self-harm and suicide. Detainees are identified at an early stage and given the necessary support. All staff are aware of and alert to vulnerability issues, are appropriately trained and have access to proper equipment and support.

## Expectations

### 10. The centre provides a safe environment which reduces the risk of self-harm and suicide.

Indicators	References
<ul style="list-style-type: none"><li>• There are effective multidisciplinary procedures for managing the risks of self-harm, which include individual care plans.</li><li>• A multidisciplinary committee meets frequently and provides effective quality assurance of safer detention policies and procedures. It is well attended by a range of staff, including detainees.</li><li>• All staff, including night and escort staff, are fully trained in suicide prevention and refresher training is in place.</li><li>• There are enough trained staff on duty at night to respond to any incidents of self-harm.</li><li>• Incidents of self-harm are closely monitored and analysed at regular intervals to ensure that trends are established and that preventive measures are taken. Serious incidents are properly investigated to establish what lessons can be learned and to promote good practice. If appropriate, family or friends of the detainee are kept informed.</li><li>• An action plan is devised and acted on promptly as a result of an investigation into an apparent self-inflicted death. This is reviewed following subsequent findings of an inquest jury.</li><li>• Missed meals are monitored and staff are alert to and take seriously the possibility of food refusal. Care and support plans are initiated where necessary.</li><li>• Staff routinely carry anti-ligature knives.</li></ul>	CCLEO 6; UDHR 3

**11. Detainees at risk of self-harm or suicide receive personal and consistent care and support to address their individual needs and have unhindered access to help.**

**Indicators**

**References**

- |  |  |
|--|--|
| <ul style="list-style-type: none"> <li>• A detailed care and support plan is prepared with input from the detainee, using interpretation where the detainee is not fluent in English. It identifies needs as well as the individual staff members responsible for supporting the detainee.</li> <li>• Personal factors or significant events which may be a trigger to self-harm are identified. Arrangements are in place for following up after a care and support plan has been closed.</li> <li>• Detainees' families, friends and external agencies are encouraged, through local arrangements, to provide information which may help to identify and support those likely to be bullied or who have a history of self-harming behaviour.</li> <li>• Detainees are monitored at high-risk times such as when appeals fail or removal is imminent.</li> <li>• There is a support/befriending scheme in place for at risk detainees. This service is available to detainees at any time and, wherever possible, makes use of members of the local community who speak the same language as the detainee.</li> <li>• Detainees are encouraged to express any thoughts of suicide and/or self-harm, and to take part in purposeful activities as part of the support plan.</li> <li>• Separation and/or strip conditions are not used to manage the risk of self-harm.</li> </ul> | <p>BOP 13, 14;<br/>CCLEO 6;<br/>UDHR 3</p> |
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# Safeguarding (protection of adults at risk)

The centre promotes the welfare of all detainees, particularly adults at risk, and protects them from all kinds of harm and neglect.<sup>2</sup>

## Expectations

- 12. Detainees, particularly adults at risk, are provided with a safe and secure environment which protects them from harm and neglect. They receive safe and effective care and support.**

Indicators	References
<ul style="list-style-type: none"><li>• The risks to detainees are recognised and there are guidance and procedures to help reduce and prevent harm or abuse from occurring.</li><li>• When abuse is alleged or suspected to have occurred, prompt and appropriate action is taken to protect the detainee.</li><li>• An individual care plan is in place to address a detainee's assessed needs.</li><li>• Care plans are thorough and reviewed regularly, involving staff from a range of disciplines.</li><li>• Up to date government and local guidance about safeguarding adults is accessible and safeguarding procedures are known and used by all staff, including how to make referrals.</li><li>• The safeguarding policy is informed by the underlying five principles of the Mental Capacity Act 2005:<ul style="list-style-type: none"><li>- a presumption of capacity</li><li>- the right for individuals to be supported to make their own decisions</li><li>- that individuals must retain the right to make what might be seen as unwise decisions</li><li>- best interests</li><li>- least restrictive intervention.</li></ul></li></ul>	CAT 11, 12, 16; BOP 13, 14; CCLEO 2, 6; UDHR 3

<sup>2</sup> We define an adult at risk as a person aged 18 years or over, 'who is or may be in need of community care services by reason of mental or other disability, age or illness; and who is or may be unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation'. 'No secrets' definition (Department of Health 2000).

- Access to advocates and/or appropriate adults is in place to aid detainees' capacity to understand and consent.
- The centre has a code of conduct informing staff of their duty to raise legitimate concerns about the conduct of an individual in relation to the treatment and management of detainees. Staff feel confident and safe to raise concerns.
- Staff are aware of their personal and professional responsibility to protect adults at risk and undergo appropriate training.
- Staff are subject to recruitment and vetting procedures which comply with necessary legislation.

# Safeguarding children

The centre promotes the welfare of children and protects them from all kind of harm and neglect.

## Expectations

### 13. Children are properly protected in a safe environment. All staff safeguard and promote their welfare.

Indicators	References
<ul style="list-style-type: none"><li>• A comprehensive child protection policy and guidance are in place which have been agreed by the local safeguarding children board or equivalent.</li><li>• All staff raise concerns about the safety and welfare of children in accordance with agreed referral procedures in the child protection policy.</li><li>• All staff who have contact with children are properly vetted and trained.</li><li>• Staff are aware of their duty to raise legitimate concerns about the conduct of colleagues in relation to the treatment and management of children. Staff feel confident and safe to raise these concerns.</li><li>• Children visiting the centre are safe and can enjoy visits in an environment that is sensitive to their needs.</li><li>• Visits staff are aware of detainees who may pose a risk to children and take steps to ensure children's safety.</li></ul>	CRC 3, 19; Mubilanzila Mayeka and Kaniki Mitunga v Belgium

### 14. Detainees who claim to be under 18 are promptly assessed by social services and properly cared for while in the centre.

Indicators	References
<ul style="list-style-type: none"><li>• The burden of proof in age dispute cases is on the UK Border Agency. Cases are subject to prompt independent professional assessment in line with the Merton judgment.<sup>3</sup></li></ul>	CRC 3

<sup>3</sup> The Merton judgment was handed down by Burnton J in the High Court on 14 July 2003, and gives guidance as to the requirements of a lawful assessment by a local authority of the age of a young asylum seeker claiming to be under the age of 18 years.

- Assessments are promptly reviewed if fresh evidence is received.
- Multidisciplinary care planning is in place for all such detainees.
- Their location in and movement around the centre is on the basis of risk assessment and pays due attention to their individual needs.
- Detainees assessed to be under 18 are released into appropriate care as soon as possible. Comprehensive written information is kept on each age dispute case, showing the time taken for assessment and release when appropriate.
- Appropriate parties should be notified of age dispute cases immediately, including social services and the Independent Monitoring Board. The person should be assisted to obtain legal advice and representation and supported to contact any other individuals or agencies.

# Security

Detainees feel secure in an unoppressive environment.

## Expectations

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**15. Detainees are able to reside in a safe environment where security is proportionate. Security is only at the level to ensure safe containment.**

Indicators	References
<ul style="list-style-type: none"><li>• The environment of the centre is suitable for a detainee population and as open and unoppressive as possible, with freedom of movement limited only by the requirements of safety.</li><li>• There are no obvious weaknesses or anomalies in the physical and procedural security of the centre.</li><li>• The elements of dynamic security are in place: staff-detainee relationships are positive, detainees receive personal attention from staff and there is constructive activity to occupy detainees.</li><li>• Effective use of security intelligence safeguards detainees' wellbeing.</li><li>• There is no routine strip-searching of detainees. This is only carried out exceptionally for sound security reasons following a risk assessment.</li><li>• Routine searching involves a rub/pat down search by someone of the same gender as the detainee and in the presence of at least one other member of staff.</li><li>• Staff do not routinely carry batons.</li></ul>	BOP 1; CCLEO 2, 3; UDHR 3

# Rewards scheme

Detainees understand the purpose of any rewards scheme and how to achieve incentives or rewards. Rewards schemes are not punitive.

## Expectations

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### 16. Any rewards scheme encourages active participation in the regime and is not punitive.

Indicators	References
<ul style="list-style-type: none"><li>• Appropriate incentives/rewards are in place to encourage detainees to participate in the activities and running of the centre and any scheme is understood by detainees.</li><li>• Any rewards scheme does not ration detainees' access to their private cash or determine level of access to visits, phones or other forms of communication. The separation unit is not part of the rewards scheme.</li><li>• There is no use of illegal, informal individual or group sanctions.</li></ul>	BOP 1

# The use of force and single separation

Force is only used as a last resort and for legitimate reasons. Detainees are placed in the separation unit on proper authority, for security and safety reasons only, and are held on the unit for the shortest possible period.

## Expectations

### 17. Detainees are only subject to force which is legitimate, used as a last resort and for no longer than necessary.

#### Indicators

- Use of force is subject to rigorous governance.
- All staff are trained in and promote de-escalation techniques.
- Any incidents of force are properly authorised and correctly and comprehensively recorded.
- Use of force is monitored by the centre and any emerging patterns are identified and acted on.
- The use of control and restraint methods is documented, staff are trained in these procedures and there is effective oversight by the Independent Monitoring Board and UK Border Agency.
- Handcuffs are only used when there is evidence to support their use and with the proper authority.
- Detainees subject to control and restraint procedures are seen by a member of health services staff as soon as possible after restraint is removed.
- Video cameras are used to record planned interventions.

#### References

BOP 1;  
BPUF 15;  
CCLEO 3

### 18. Detainees are held safely and decently in the separation unit for the shortest possible period and for legitimate reasons only.

#### Indicators

- Detainees are separated with the proper authorisation and for reasons of security or safety only, not for punishment or in relation to the management of self-harm or mental illness.
- Detainees are given the reasons for single separation, in writing and in a language they understand, within two hours.

#### References

BOP 1, 13,  
14;  
CCLEO 6

- Further authorisation follows established procedures and is effectively monitored and independently reviewed.
- Those in single separation are allowed access to religious ministers, books, education staff, phones, exercise, social and legal visitors and a daily shower.
- Detainees kept separated are monitored daily for their physical, emotional and mental wellbeing. Staff keep accurate records of the behaviour of detainees to ensure continuity of care.

# Legal rights

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

## Expectations

### 19. Detainees are supported by the centre staff to exercise their legal rights freely.

Indicators	References
<ul style="list-style-type: none"><li>• Detainees are able to speedily obtain regulated and good quality legal advice and representation in a language they understand, including unrestricted access to advice surgeries.</li><li>• Detainees are informed by UK Border Agency staff, in a language they understand, of their appeal and bail rights and how to access good quality legal representation within 24 hours.</li><li>• Detainees receive information, in a language they understand, about how to complain about poor quality legal representation.</li><li>• Detainees have access to up-to-date legal textbooks, their personal documentation and other reports or materials necessary to help their immigration or asylum case. Bail application forms and information about procedures are available.</li><li>• Detainees receive proper notice of bail and appeal hearings, and are able to attend on time. On return from court detainees have a copy of the bail notice and understand the reasons for any refusal of bail.</li><li>• Detainees are not moved when this would frustrate a bail application listed locally.</li><li>• Detainees receive copies of bail summaries by 2pm on the working day before their bail hearing, regardless of whether or not they are legally represented. If the detainee cannot read English the contents are explained in a language they understand.</li></ul>	<p>BOP 11, 13, 14, 17, 18; BPRL 1, 2, 5, 7, 8; DHRIN 5(1)(c)</p>

**20. Detainees can receive visits and communications from their representatives without difficulty to progress their cases efficiently.**

**Indicators**

**References**

- Detainees are able to contact their legal representatives without impediment and can take copies of legal documents before sending them to legal representatives, the UK Border Agency, tribunal or courts.
- Detainees are able to send faxes to their legal representatives and the UK Border Agency free of charge.
- In appropriate cases, detainees are able to have their legal representatives (and interpreter if necessary) present during interviews with immigration staff and are provided with a copy of interview notes or recordings.
- Legal visits are allowed during a period of at least five hours every day.
- Suitable facilities are provided to allow visits with legal representatives to take place in private.
- Legal representatives have access to their laptop computer and a phone in the centre.
- Letters from legal representatives to detainees remain confidential and are not opened by centre staff.

BOP 18;  
BPRL 2, 8;  
DHRIN 5(1)(c)

# Casework

Decisions to detain are based on individual reasons that are clearly communicated and effectively reviewed. Detention is for the minimum period necessary and detainees are kept informed throughout the progress of their cases.

## Expectations

### 21. Detainees understand why they are detained. The reasons are clearly communicated and effectively reviewed.

Indicators	References
<ul style="list-style-type: none"><li>• Detainees have received written individual reasons for their detention in a language they understand.</li><li>• Detainees who have been detained following a custodial sentence understand their position and have appropriate documentation explaining their status, including any licence conditions.</li><li>• Detainees are given progress reports at least monthly and following any change of circumstances or submission of new information to the UK Border Agency. Reports focus on progress and do not simply repeat previous information. They are issued on time and communicated in a language detainees understand.</li></ul>	BOP 11, 14; DHRIN 5(1)(c); Saadi v United Kingdom

### 22. Detention is for the minimum period necessary and detainees are kept informed throughout about the progress of their cases.

Indicators	References
<ul style="list-style-type: none"><li>• Casework is progressed promptly. Detainees know who the responsible UK Border Agency case owner is and are kept informed of progress.</li><li>• There are sufficient on-site immigration staff who are able to explain to detainees their status and rights, respond to queries promptly, ensure that each case is progressed and keep detainees informed of progress.</li><li>• Interpreters are always available in interviews so that detainees can express themselves fully, and understand their rights and any important decisions.</li></ul>	BOP 1, 13, 14; CRC 37(b); DHRIN 5(1)(c)

23. **Detainees who may not be fit for detention are quickly identified and properly assessed. Their cases are reviewed by the UK Border Agency as a matter of priority.**

**Indicators****References**

- There is a presumption against detention of any detained person whose mental or physical wellbeing is likely to be adversely affected by detention.
- All Rule 35 reports are written by health care professionals, are comprehensive and provide an assessment of the impact of detention.
- Case owners' responses take full account of the assessment.
- Late responses are followed up promptly by on-site UK Border Agency staff and poor responses are returned to the case owner.
- The detainee and the immigration removal centre, including health services staff, are notified of the outcome promptly.
- Potential victims of trafficking are referred to the National Referral Mechanism.

BOP 1, 24;  
CCLEO 6

HM Inspectorate of Prisons  
**EXPECTATIONS**

Section 2: **respect**

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

Residential units  
Staff-detainee relationships  
Equality and diversity  
Faith and religious activity  
Complaints  
Health services  
Substance misuse  
Services

# Residential units

Detainees live in a safe, clean and decent environment. Detainees are aware of the rules, routines and facilities of the unit.

## Expectations

### 1. Detainees live in a clean and decent environment which is in a good state of repair and fit for purpose.

#### Indicators

- The accommodation and all communal areas are light, well decorated, and in a good state of repair.
- The accommodation is suitably heated and ventilated.
- All detainees occupy rooms that are suitable for purpose and for their individual needs.
- Detainees have access to well-maintained sanitation, washing facilities and drinking water at all times.
- Staff ensure that sleeping areas are as quiet as possible at night to enable sleep and rest.
- Rooms are checked daily for defects. Deficiencies are reported quickly and remedial action is taken.

#### References

BOP 1;  
ICCPR 10(1)

### 2. Detainees feel and are safe in their residential units, both in their rooms and communal areas.

#### Indicators

- If locked in rooms, dormitories or units, all detainees have access to staff or emergency call bells that work and which are responded to within five minutes.
- Family members are located together.
- Unrelated male and female detainees are held in separate accommodation with separate toilets, showers and washing facilities.
- Detainees have keys to their rooms.

#### References

UDHR 3

**3. Detainees understand the rules, routines and facilities of the unit.****Indicators****References**

- Rules are applied openly, fairly and consistently, with no discrimination.
- Notices and rules are translated into the main languages of the current detainee population, and internationally recognised symbols are used wherever possible.
- Detainees are consulted about the routines and facilities of the unit on at least a monthly basis. Detainees are informed of the outcome of the consultation and provided with justifiable reasons for decisions.
- Staff use only the level of authority necessary to ensure a detainee's compliance with the rules. When rules are breached, staff take time to explain how and why to the detainee concerned.

BOP 13, 14;  
CCLEO 2;  
DRM 2(1)

**4. Detainees have enough clean clothing of the right kind, size, quality and design to meet individual needs.****Indicators****References**

- Detainees wear their own clothing where possible, and are able to receive clothing from visitors. Any centre clothing provided is suitable, sufficient in quantity, in reasonable condition and provides all-weather protection.
- All detainees have at least weekly access to laundry facilities to wash and iron personal clothing and are given priority access if removal or tribunal hearings are imminent. Clean underwear and clean clothing are available daily.

BOP 1;  
ICCPR 10(1)

**5. Detainees' property held in storage is secure and detainees can promptly access their property on request.****Indicators****References**

- Detainees are allowed to store valuable and other property in a secure area.
- The amount of property in possession and storage that detainees are allowed takes account of individual needs.
- Detainees are fairly compensated for clothing and possessions lost while in storage.

ECHR  
Protocol 1(1)

**6. Detainees are able to keep themselves, their rooms and communal areas clean.****Indicators****References**

- Detainees are able to shower or bath daily, and immediately following physical activity, before court appearances, before visits and before removal or release.
- Detainees are able to use communal toilets and showers/ washing facilities in private.
- Detainees have free access to basic toiletries and sanitary products.
- Freshly laundered bedding is provided for each new detainee on arrival and then at least weekly or when soiled. Mattresses and pillows are replaced as necessary.

# Staff-detainee relationships

Detainees are treated with respect by all staff, with proper regard for the uncertainty of their situation and their cultural backgrounds.

## Expectations

### 7. Detainees are treated with humanity and respect for their human dignity at all times. Relationships between detainees and staff are positive and courteous.

Indicators	References
<ul style="list-style-type: none"><li>• Staff and detainees are fair and courteous to each other.</li><li>• Staff have training in and show proper regard for the uncertainty of detainees' situations, particularly immigration issues, and their cultural background</li><li>• Staff set a personal example in the way they carry out their duties.</li><li>• Staff positively engage with detainees and interaction between staff and detainees is encouraged by the senior management team.</li><li>• Detainees are addressed courteously at all times by centre staff, and are not referred to by their family name alone.</li><li>• Staff routinely knock and wait for a response before entering rooms, except in emergencies.</li><li>• All detainees have a designated care officer, who has knowledge of their history and circumstances, to whom they can turn as an initial point of contact for support or to resolve problems in the centre. Where a care officer scheme is not used, there is an effective alternative.</li><li>• There is a regular chronological record of contact with detainees identifying any significant events.</li><li>• Regular group meetings are held, with the help of interpreters where necessary, to enhance communication between staff and detainees.</li></ul>	BOP 1; CCLEO 2; ICCPR 10(1)

# Equality and diversity

The centre demonstrates a clear and coordinated approach to eliminating discrimination, promoting equitable outcomes and fostering good relations, and ensures that no detainee is unfairly disadvantaged. This is underpinned by effective processes to identify and resolve any inequality. At a minimum, the distinct needs of each protected characteristic<sup>4</sup> are recognised and addressed: these include race equality, nationality, religion, disability (including mental, physical and learning disabilities and difficulties), gender, transgender issues, sexual orientation and age.

## Expectations – Strategic management

8. **Staff promote a respectful and safe environment, in which each of the distinct protected characteristics of detainees is recognised and addressed with respect and dignity.**

### Indicators

- Staff lead by example, promoting equality and diversity by active engagement with all detainees.
- All protected characteristics are recognised and addressed, irrespective of the number of detainees in the population of that group.
- Staff are trained in diversity and are made aware of the backgrounds of detainees and the impact of detention in a foreign country, as well as their duties under the Equality Act 2010.

### References

CCLEO 2;  
CEDAW 2;  
CERD 7;  
CRPD 4, 5;  
DRM 1, 2(1)

9. **By employing fair processes the centre ensures that no detainee or group is unfairly disadvantaged.**

### Indicators

- Monitoring effectively identifies areas of potential discrimination or disadvantage. Any disproportionate patterns are investigated and corrective action taken.
- Detainees can make a complaint about any incidence of discrimination in their own language.
- Any inappropriate language or conduct by staff or detainees is challenged.

### References

CCLEO 2;  
CEDAW 2;  
CERD 6, 7;  
CRPD 4, 5;  
DRM 1, 2(1)

<sup>4</sup> The grounds upon which discrimination is unlawful (Equality and Human Rights Commission 2010).

- Assessments are made of all locally implemented policies to determine their impact on detainees with protected characteristics.
- The centre provides for the needs of detainees and visitors to at least the level required by the Equality Act 2010.

**10. The centre demonstrates strong leadership in delivering a coordinated approach to eliminating all forms of discrimination.**

**Indicators**

**References**

- The centre has an equality and diversity policy in place that outlines how the needs of all groups within the centre will be recognised and addressed. This is accompanied by a live action plan.
- There is a diversity committee, chaired by the centre manager or deputy, which includes managers, staff, detainee representatives and, where possible, representation from appropriate community groups.
- Designated diversity officers are in post and are provided with sufficient time and resources. Detainees know who they are and are able to contact them easily.
- Managers and staff promote an understanding of, and demonstrate respect for, all diverse groups of staff, detainees and visitors.

CEDAW 2;  
CERD 7;  
CRPD 4, 5

**11. Detainees play an active role in eliminating all forms of discrimination. Equality and diversity are effectively promoted and detainees know how to obtain support.**

**Indicators**

**References**

- Notices are translated into the main languages of detainees and a photo board of the members of the diversity committee is prominently displayed in communal and residential areas.
- The centre holds regular events to celebrate cultural diversity and invites members of local minority nationalities and other minority groups to take part.
- There is effective consultation with detainees on matters relevant to race, nationality, culture and religion.

BOP 13, 14;  
DRM 2, 4  
(1,2)

- Detainees are consulted frequently to strengthen and support the elimination of discrimination.
- Detainee equality representatives have appropriate job descriptions and meet regularly, both with equality staff and as part of a wider forum, including managers, staff and detainees.
- Detainees know the identity of equality and diversity representatives.

## Expectations – Protected characteristics

### 12. Detainees of all racial groups are treated equitably and according to their individual needs.

#### Indicators

#### References

- There are arrangements to educate and raise staff awareness of race equality, to enable them to understand and respond appropriately to race and cultural issues.
- Action is taken to identify and minimise racist bullying and there are interventions for challenging racism and protecting the victims of racist bullying.

### 13. Detainees of all nationalities are treated equitably and according to their individual needs.

#### Indicators

#### References

- Detainees have access to accredited translation and interpreting services wherever accuracy or confidentiality is important.
- Accurate records are kept of staff and detainees who are able to speak languages other than English.
- Regular group meetings are held, with specific nationality and/or language groups with the help of interpreters where necessary, to keep abreast of detainee issues.

#### 14. Detainees of all religious groups are treated equitably and according to their individual needs.

##### Indicators

- Staff are aware of religious diversity and the way this interacts with cultural identities.
- Action is taken to identify and minimise religious discrimination and intolerance. There are interventions in place for challenging religious discrimination and protecting victims.
- Monitoring by religious affiliation is regularly used to match provision to need in the centre.
- Dietary and other lifestyle requirements of religions represented in the centre are properly fulfilled.

##### References

DEDRB 2, 4;  
DRM 2;  
ECHR 9

#### 15. Detainees with disabilities (both physical and mental impairments and learning disabilities and difficulties) are treated equitably and according to their individual needs.

##### Indicators

- Detainees with disabilities are identified systematically on arrival, given (where appropriate) a multidisciplinary care plan which is kept up to date and, where necessary, have access to social care through an organised peer support scheme.
- Detainees have access to information in a format and language they can easily understand, for example DVD, easy read text with illustrations and Braille.
- Staff are aware of all detainees with disabilities who would need help in the event of an emergency and personal evacuation plans are in place.
- Dedicated rooms adapted for use by detainees with disabilities are available. Ongoing adaptations are made if the needs of the occupant change.
- Detainees with disabilities which affect their mobility are helped to move around the centre.
- Reasonable adjustments are made to ensure that detainees with disabilities, including those with learning disabilities/ difficulties, have equitable access to the full regime and facilities.

##### References

BOP 5(2);  
CCLEO 6;  
CRPD 4, 5

**16. Women detainees are treated equitably and according to their individual needs.****Indicators****References**

- Female staffing ratios are appropriate to the size of the female population.
- All staff have a clear understanding of the specific needs of women detainees, including those who are separated from dependants and pregnant women.
- Policies and procedures recognise the specific needs of women detainees from the first point of detention.
- Women in shared facilities have regular and equitable access to facilities and activities such as the library, gym, shop and communications.
- Women are provided with suitable hygiene and sanitary products.
- Pregnant women are detained only in exceptional circumstances and have appropriate support. Force is never used against them simply to effect removal. It is only used to prevent harm.

BOP 5(2);  
CEDAW 2

**17. Lesbian, gay, bisexual and transgender detainees are treated equitably and according to their individual needs.****Indicators****References**

- Staff training and development promotes equal respect for gay people and raises awareness of the discrimination faced by lesbian, gay, bisexual or transgender detainees.
- The centre actively engages with detainees to ensure consultation can take place in a safe, confidential environment.
- Action is taken to identify and minimise homophobic language and behaviour, and interventions for challenging homophobic/discriminatory bullying are in place.
- Detainees who are lesbian, gay, bisexual or transgender are supported via specific groups or schemes within the centre and through referral to external support networks.

CCLEO 2

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**18. Detainees of all ages are treated equitably and according to their individual needs.****Indicators****References**

- Following initial assessment on arrival, older detainees have a care plan that involves the required range of staff and is reviewed regularly.
- All staff working with older detainees know how to recognise the signs of mental health problems and the onset of dementia
- The activities provided are appropriate for all age groups.
- Staff are aware of the distinct needs of young adults, and recognise and respond to individual levels of maturity.

BOP 5(2)

## Faith and religious activity

All detainees are able to practise their religion fully and in safety. The faith team plays a full part in the life of the centre and contributes to detainees' overall care, support and release plans.

### Expectations

#### 19. Detainees are enabled to practise their religion fully and in safety. Different religious faiths are recognised and respected.

Indicators	References
<ul style="list-style-type: none"><li>• All detainees have access to corporate worship/faith meetings each week, and access to ministers of their faith, in private, every week.</li><li>• Detainees know the timings of religious services and these are well advertised. Timings are appropriate to the different religions.</li><li>• Alternative or additional provisions are made if detainees are unable to attend religious services.</li><li>• Multi-faith rooms and worship areas are equipped with facilities and resources for all faiths and are accessible for all detainees to allow contemplation, reflection and prayer.</li><li>• Activities are arranged so that detainees are able to attend corporate worship.</li><li>• Searches of visitors, detainees and their property are conducted in a religiously and culturally sensitive manner.</li><li>• Detainees are able to obtain, keep and use artefacts that have religious significance.</li><li>• Detainees are able to attend classes and groups, in addition to corporate worship, for the purposes of nurturing faith.</li><li>• Detainees are able to celebrate all major religious festivals and the centre actively promotes them.</li></ul>	BOP 28; DEDRB 1, 2; DRM 2, 4; ECHR 9

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**20. Detainees are fully supported by the chaplaincy, which contributes to their overall care, support and preparation for release.**

**Indicators****References**

- Religious leaders provide support at times of personal crisis, such as family bereavement, the death or serious illness of a detainee, and imminent removal.
- Religious leaders demonstrate tolerance and cooperation with each other, working closely with other staff in the centre.
- Religious leaders establish and maintain links with faith communities and places of worship according to the individual needs of detainees.
- Religious leaders are consulted about the care planning for detainees they are involved with and are invited to assist in preparation for release, removal or transfer.

DEDRB 1;  
DRM 2, 4

# Complaints

Effective complaints procedures are in place for detainees, which are easy to access and use and provide timely responses.

## Expectations

### 21. Detainees have confidence in complaints procedures, which are effective, timely and well understood.

Indicators	References
<ul style="list-style-type: none"><li>• There is a published complaints procedure in appropriate languages.</li><li>• Detainees are encouraged, where appropriate, to solve areas of dispute informally before making official complaints.</li><li>• Detainees can make a formal complaint confidentially at any time and are able to complain to the UK Border Agency and/or the Independent Monitoring Board.</li><li>• Complaint forms are available in languages that detainees can understand.</li><li>• Formal complaints are dealt with fairly and responded to promptly, with either a resolution or a comprehensive explanation of future action.</li><li>• Detainees receive responses to their complaints that are respectful, easy to understand and address the issues raised. Complaints are signed and dated by the respondent.</li><li>• Responses are communicated in the language in which the complaint was submitted.</li><li>• Responses are evidence-based, factual and fair.</li><li>• Detainees enjoy free and confidential access to Independent Monitoring Board members who in turn have free access to all parts of the centre and are able to exercise their responsibilities effectively.</li><li>• An effective monitoring system is in place to analyse complaints, both against contractors and the UK Border Agency.</li><li>• Concerted efforts are made to communicate responses to detainees who have left the facility.</li></ul>	BOP 13, 14, 33

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**22. Detainees feel safe from repercussions when using complaints procedures and are aware of an appeal procedure.****Indicators****References**

- |   |           |
|---|-----------|
| <ul style="list-style-type: none"><li>• Detainees are not pressurised to withdraw any complaints.</li><li>• Detainees who make complaints against staff and/or other detainees are protected from possible recrimination. Protection measures are in place and put into practice.</li><li>• Complaints against staff are taken seriously and restrictions on involvement from staff who are the subject of a complaint are implemented where necessary.</li><li>• Complaints are investigated by staff at an appropriate level.</li><li>• Detainees know how to appeal against decisions. Appeals are dealt with fairly and responded to within five days.</li><li>• Detainees receive help to pursue complaints and grievances beyond the centre with external bodies, if they need to do so. They receive help in contacting legal advisers or making any direct applications to the court.</li></ul> | BOP 33(4) |
|---|-----------|

# Health services

Health services assess and meet detainees' health needs while in detention and promote continuity of health and social care on release. Health services recognise the specific needs of detainees as displaced persons who may have experienced trauma. The standard of health service provided is equivalent to that which people could expect to receive elsewhere in the community.

## Expectations – Governance arrangements

### 23. Detainees are cared for by a health service that assesses and meets their health needs and which promotes continuity of health and social care on release.

Indicators	References
<ul style="list-style-type: none"><li>• Health services are informed by the assessed needs of the detainee population and are planned, provided and quality assured through integrated working between the centre and its local health economy.</li><li>• The commissioning arrangements take account of and adhere to Department of Health quality and regulatory frameworks.</li><li>• Serious and untoward incidents are reported and monitored.</li><li>• There is a patient forum that is representative of the current centre population.</li><li>• Clinical governance arrangements are in place, which include the management and accountability of staff.</li><li>• Staffing levels and skills mix, throughout the 24-hour period, include appropriately trained medical, nursing, administrative and other allied health professionals or specialist staff, who receive ongoing supervision and support to maintain their professional registration, where appropriate, and professional development.</li><li>• Treatment plans reflect national clinical guidance and are subject to clinical audit.</li><li>• Systems are in place for prevention of communicable diseases. In the event of an outbreak of a communicable disease, the response is prompt and effective, in liaison with local NHS services, including the identification and tracing of contacts.</li></ul>	BOP 24; ICESCR 12; PME 1

- Information sharing protocols exist with appropriate agencies to ensure efficient and confidential sharing of relevant health and social care information. The Care Quality Commission has registered all health care providers.

**24. Detainees benefit from health services that are safe and accessible and that maintain decency, privacy and dignity and promote their wellbeing.**

**Indicators**

**References**

- All detainees have equity of access to health services.
- Staff are trained to recognise, treat and report any signs of trauma and torture or other health issues that may affect fitness to detain.
- There are appropriate infection control measures for all rooms used for health services.
- Patients receive health services that are not unnecessarily restricted by security procedures.
- Patient safety during clinical activity that requires specialist equipment meets standards laid down by regulatory bodies. All equipment (including resuscitation kit) is regularly checked and maintained, and staff understand how to access and use it effectively.
- There are effective arrangements in place to gain and review detainees' consent and act on it, while ensuring their capacity to understand.

ICESCR 12;  
PME 1

**25. Patients are treated with respect in a professional and caring manner which is sensitive to their diverse needs, by appropriately trained staff.**

**Indicators**

**References**

- Detainees can see a doctor of their own gender and are aware that they can request this service.
- Health professionals are aware of sensitive cultural issues.
- Health care staff introduce themselves to new detainees and wear identification that clearly displays their name and status.

BOP 5, 14;  
CRC 3(3);  
ICESCR 12;  
PME 1

- Antenatal services equivalent to those provided in the community are available for pregnant women.
- Each health services centre has a lead nurse or manager, with sufficient seniority and knowledge, who has responsibility for the overall care of older detainees.
- There are formal arrangements between the centre and health services for the identification and safeguarding of vulnerable detainees.
- Specific training is undertaken by all health services staff who work with older detainees, including how to recognise the signs of mental health problems and how to identify social care needs.
- Patients are able to access specialist mobility and health aids.
- Professional interpreting services are used as a matter of course for detainees who are not fluent in English. Refusals are noted in medical records. Other detainees are not used as interpreters in confidential health care settings.
- Any centre holding children has a lead nurse or manager, with sufficient seniority and knowledge, who has responsibility and qualifications to care for children.

**26. Detainees are aware of the centre health services that are available and how to access them.**

**Indicators**

**References**

- Detainees are given information about the centre health services, in a format and language they can understand, which explains how to access services.
- Detainees know how to comment or complain about their care and treatment and receive timely and thorough responses from a health professional.
- Detainees can obtain a second opinion at their own expense. There is a protocol setting out the role of the second opinion doctor.

BOP 13, 14,  
33

## 27. All detainees receive information about health promotion and the control of communicable diseases.

### Indicators

- Detainees have access to disease prevention programmes and screening programmes that mirror national and local campaigns.
- Health promotion should include information on optimising physical health, including oral health and mental health and wellbeing.
- Detainees can obtain contraceptives and barrier protection without charge and without asking a member of staff.

### References

ICESCR 12

## Expectations – Delivery of care (physical health)

## 28. Detainees' immediate health and social care needs are recognised on reception and are responded to promptly and effectively.

### Indicators

- A comprehensive reception screening tool is used to identify and document particular needs, such as a detainee's capacity to understand and consent (Mental Capacity Act 2005), stabilisation or detoxification of those with substance misuse/withdrawal needs, mental health problems and experience of mistreatment, including torture.
- Following reception screening, a further health assessment is carried out and recorded by trained staff no more than 24 hours after the detainees' arrival into detention.
- Detainees arriving outside of the centre's reception hours still receive essential health care services and support.
- The detainees' GP and any relevant care agencies are contacted, with the detainees' consent, to provide relevant information to ensure continuity of care.

### References

BOP 24;  
ICESCR 12

## 29. Detainees' individual health care needs are addressed through a range of services.

### Indicators

- Patients are involved and consulted when planning their own care and treatment.
- Effective systems, including regular review, are in place for the management of patients with long-term conditions.
- Out of hours and emergency medical cover is well organised, responsive and effective.
- An effective appointment system is in operation, which ensures sufficient patient contact time.
- The amount and range of primary services meet the needs of the detainee population.
- Every detainee has accurate personalised care, treatment and support records, which are held securely and maintain dignity and confidentiality. Protocols exist to ensure secure information sharing.
- Transfer or removal of detainees does not disrupt ongoing medical treatment where this is avoidable.
- There is a protocol for the clinical management of detainees who refuse food and fluids, as well as those who have ceased hunger strike and require renourishment.
- There is a palliative and end of life care policy developed in partnership with local services.

### References

ICESCR 12;  
PME 1

## 30. Detainees with health care needs requiring 24-hour nursing care are supported by health staff and accommodated in appropriate facilities that meet their individual needs.

### Indicators

- Admission criteria for health services bed spaces are on assessment of clinical need only.

### References

ICESCR 12;  
PME 1

- Twenty-four-hour nursing care facilities are not used by default to accommodate detainees with disabilities or those having difficulty coping within the centre.
- Detainees in 24-hour nursing care facilities have access to day care that provides therapeutic, meaningful and constructive activities. This includes access to the same range of activities as other detainees, unless their clinical condition precludes it.
- Arrangements for detainees moving back to the main centre include appropriate assessment and care planning for continuity of care.

**31. Detainees assessed as requiring secondary care services are able to access them without undue restrictions.**

**Indicators**

**References**

- Detainees continuing secondary care, diagnostics and treatment are not moved inappropriately.
- Detainees are not unnecessarily restricted by security procedures from attending arranged appointments.
- Detainees are referred promptly and are not subject to undue waiting times.

ICESCR 12;  
PME 1

## Expectations – Pharmacy

**32. Detainees are cared for by a pharmacy service that assesses and meets their needs and is equivalent to that in the community.**

**Indicators**

**References**

- Detainees have direct access to advice from pharmacy staff who have the appropriate skills, training and competence.
- Detainees are given information about the benefits, risks and self-administration of medication in a format they are able to understand.
- Detainees are prescribed and receive their medication at specific times that meet their clinical need.
- Systems are in place to ensure that all medicines are handled safely and securely with safe pharmaceutical stock management and use.

BOP 24;  
ICESCR 12;  
PME 1

- Detainees receive medicines that are prescribed safely and in line with evidence-based practice and agreed protocols.
- All supervised medicines are administered safely and in line with professional accountabilities. Self-administered medicines are dispensed appropriately and secure storage is available to detainees. There is suitable documented risk assessment before self-administration is considered.
- Health services staff are aware of impending departures and, if necessary, make arrangements for medication to be administered prior to removal (as clinically indicated) and during the journey.

### Expectations – Dentistry

#### 33. Detainees are cared for by a dental health service that assesses and meets their needs and is equivalent to the standard and range in the community.

##### Indicators

##### References

- |  |                                |
|--|--------------------------------|
| <ul style="list-style-type: none"> <li>• Detainees have timely access to dental checks and treatment.</li> <li>• Detainees are given advice and information on oral health.</li> <li>• Emergency dental cover is well organised, responsive and effective.</li> <li>• Detainees' dental health services, including the safety of the practising environment and quality of care, are assured by independent inspection and monitoring under the same arrangements used by the commissioning body for other dentists in primary dental care.</li> </ul> | BOP 24;<br>ICESCR 12;<br>PME 1 |
|--|--------------------------------|

### Expectations – Delivery of care (mental health)

#### 34. Detainees with common mental health problems are recognised and supported by health staff and specialist services at the centre, and have unhindered access to help in pursuing recovery.

##### Indicators

##### References

- |  |                                |
|--|--------------------------------|
| <ul style="list-style-type: none"> <li>• Detention staff have the appropriate training to recognise mental health problems and work effectively with health staff to ensure care for detainees.</li> </ul> | BOP 24;<br>ICESCR 12;<br>PME 1 |
|--|--------------------------------|

- Multi-professional primary mental health services are available from staff with appropriate skills.
- Detainees assessed as needing primary mental health services have access to provision that includes talking and other appropriate therapies, and guided self-help for people with mild to moderate mental health problems.
- Detainees are encouraged to take an active part in their own recovery and in care planning.
- Where it is identified that a detainee has had previous contact with mental health services in the community, a referral to mental health services is always made, and information about previous history is actively sought and subsequently used.

**35. Detainees' severe and enduring mental health needs are recognised and supported by health staff and specialist services at the centre, and they have unhindered access to help in pursuing recovery.**

#### Indicators

#### References

Indicators (in addition to common mental health problem indicators):

BOP 24;  
ICESCR 12;  
PME 1

- Multi-professional, secondary and tertiary mental health services are available from staff with appropriate skills.
- Detainees with severe and enduring mental health illnesses receive multidisciplinary case management that includes their health recovery, drug and alcohol misuse, and social, custodial, resettlement and advocacy needs.
- Detainees with serious and enduring mental illnesses are transferred under the Mental Health Act to specialist secondary and tertiary care if clinically indicated. Their care is not compromised if they are transferred to another place of detention.
- Detainees needing assessment by specialist mental health services are seen and transferred expeditiously, within the current Department of Health target for transfer, to secondary and tertiary care as clinically indicated.
- Where clinically indicated, release to treatment in the community is arranged expeditiously.

# Substance misuse

Detainees with drug and/or alcohol problems are identified at reception and receive effective treatment and support throughout their detention.

## Expectations

### 36. Detainees dependent on drugs and/or alcohol receive clinical treatment which is safe, effective and meets individual needs.

#### Indicators

- Drug and/or alcohol dependent detainees are provided with first night treatment following screening and testing. Subject to confirmation, existing prescribing regimes are continued or equivalents provided.
- Specialist staff complete a comprehensive assessment the day after a detainee's arrival to determine a suitable stabilisation, maintenance, or detoxification programme. Prescribing regimes are flexible, conform to national clinical guidelines, adequately meet the needs of drug or alcohol dependent detainees, and are provided by specialist staff in a safe environment.
- Treatment takes account of individual circumstances, including pregnancy, and likely treatment continuity in the country of origin.
- Detainees are actively involved in the care planning and review process.
- Effective alcohol, drug and tobacco avoidance strategies are in operation.
- Specialist dual diagnosis services are provided for detainees who experience mental health and substance-related problems.
- A range of effective alcohol, drug and tobacco avoidance strategies are in operation.

#### References

BOP 24;  
ICESCR 12;  
PME 1

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**37. Detainees have prompt access to a range of psychosocial interventions and services, which are consistent with the assessed needs of the population.****Indicators**

- An effective drug and alcohol strategy is in place which shapes service provision. The drug and alcohol strategy is accompanied by a detailed action plan, informed by the needs analysis, which includes specific outcome-focused targets and clear accountabilities.
- Detainees are informed of drug and alcohol services at the beginning of and throughout their time in custody and are encouraged by all staff to seek help according to their needs.
- Detainees, including those with alcohol problems, have prompt access to a range of psychosocial interventions which meet their identified need.
- Psychosocial interventions are integrated with clinical treatment.

**References**

BOP 24;  
ICESCR 12;  
PME 1

# Services

Detainees are offered varied meals to meet their individual requirements and food is prepared and served according to religious, cultural and prevailing food safety and hygiene regulations. Detainees can purchase a suitable range of goods at reasonable prices to meet their diverse needs, and can do so safely.

## Expectations

### 38. Detainees have a varied, healthy and balanced diet which meets their individual needs, including religious, cultural or other special dietary requirements.

Indicators	References
<ul style="list-style-type: none"><li>• There is at least one substantial cooked meal each day.</li><li>• Detainees have a choice of meals, including an option for vegetarian, vegan, religious, cultural and medical diets. All menu choices are provided to the same standard.</li><li>• Detainees are able to select from a menu that is translated, includes pictures of dishes and indicates whether the meal is suitable for different cultures, religious requirements and diets.</li><li>• Detainees are able to register any comments in their own language in a food comments book that is regularly read and taken into account by the catering manager.</li><li>• Detainees are consulted about their food and represented on a catering committee.</li><li>• Mealtimes are reasonably spaced. The midday meal is not served before noon and the evening meal not before 5pm.</li><li>• Breakfast is served on the morning it is eaten.</li><li>• If the gap between the last meal of the day and breakfast the next day is more than 14 hours, an additional snack and hot drink is provided in the evening.</li><li>• Appropriate extra food supplies are available for detainees arriving or being discharged late or for pregnant women.</li><li>• Detainees are involved in the preparation of food appropriate to their own culture. They have access to a cultural kitchen where they are able to cook independently for themselves and friends.</li></ul>	<p>BOP 1, 5(2); DEDRB 1(3); DRM 1, 2, 4 (1, 2); ECHR 9</p>

**39. Detainees' food and meals are stored, prepared and served in line with religious, cultural and other special dietary requirements and prevailing safety and hygiene regulations.**

## Indicators

## References

- Religious, cultural or other special dietary requirements relating to food procurement, storage, preparation, distribution and serving are fully observed and communicated to detainees.
- Areas where food is stored, prepared or served conform to the relevant food safety and hygiene regulations.
- Staff and any detainees who work with food are health screened and trained and wear proper clothing. Detainees are able to gain relevant qualifications.
- Detainees are able to eat together communally.

BOP 1;  
DRM 1, 2

**40. Detainees can purchase a suitable range of goods at reasonable prices to meet their diverse needs.**

## Indicators

## References

- Detainees are provided with a weekly personal allowance which is sufficient to meet essential needs.
- Detainees are able to buy snacks and drinks throughout the day.
- Detainees have access to a shop that stocks a range of culturally appropriate items, including skin and hair care products.
- Prices are published and reasonable.
- Arrangements are in place for detainees to purchase other approved items that are not provided by internal facilities.
- Detainees have unlimited access to their own cash, and accurate financial records are kept by the centre. Foreign currency can be exchanged at reasonable rates.

BOP 1;  
DRM 1, 2

HM Inspectorate of Prisons  
**EXPECTATIONS**

Section 3: **activities**

The centre encourages activities and provides facilities to preserve and promote the mental and physical wellbeing of detainees.

# Activities

The centre encourages activities and provides facilities to preserve and promote the mental and physical wellbeing of detainees.

## Expectations

### 1. Detainees have regular and equitable access to facilities and activities that meet the needs of the population.

#### Indicators

- Activities and facilities provide physical and mental stimulation and alleviate boredom. They include suitable outdoor activities for children and adults. Activities are available every day, including evenings.
- The range of activities offered meets the identified needs of all detainees, including those detained for short and long periods and those with protected characteristics.
- Detainees are free to move throughout the centre. Any restrictions are justified by clear evidence of risk.
- Activities are effectively promoted.
- Monitoring and review arrangements are effective in ensuring that detainees' needs are met.
- Detainees are not prevented from taking part in activities or using facilities as a result of scheduling conflicts.
- There is a good range of recreational activities and facilities.

#### References

BOP 1

### 2. Detainees benefit from learning and skills provision that meets their needs.

#### Indicators

- Detainees have access to a range of classes, training and creative pursuits that include the teaching of English. The range, frequency, quantity and quality are sufficient to meet the differing needs of detainees.
- Detainees can complete both short and more substantial units of education and training.
- Tutors and managers have suitable expertise.
- Effective arrangements assure and improve the quality of learning and skills provision.

#### References

ICESCR 13(1)

### Section 3: activities

#### 3. A suitable and sufficient range of paid work is available to detainees

##### Indicators

- Detainees are able to engage in paid work within the centre.
- Access to work is not restricted unless there is clear evidence of risk.
- Recruitment is timely, transparent and appropriate.
- Pay rates are equitable.
- Detainees receive suitable training for their work roles.

##### References

ICESCR 6, 7

#### 4. Detainees have regular access to a suitable library that meets their needs.

##### Indicators

- The quantity and quality of library materials are sufficient to meet the needs of the detainee population. This includes books, newspapers, dictionaries, CDs and DVDs in languages that correspond with the major language and national groups in the population.
- The library is well organised and appropriately managed by suitably trained staff.
- Detainees have suitable time to use library materials if they are unable to take them away from the library.

##### References

BOP 28

#### 5. Fitness provision is safe and meets the needs of all detainees.

##### Indicators

- Detainees have access to fitness facilities with suitably qualified instructors.
- Detainees have the opportunity to use the fitness facilities every day.
- Before first using the fitness facilities or undertaking strenuous exercise, all detainees are assessed by health services staff and this information is readily available to fitness staff.
- Detainees who use the fitness facilities can access clean kit.
- Detainees are able to shower after each PE session.
- Records of accidents and injuries are monitored regularly and appropriate action is taken.

##### References

BOP 1;  
CCLEO 6

## HM Inspectorate of Prisons

# EXPECTATIONS

### Section 4: **preparation for removal and release**

Detainees are able to maintain contact with family, friends, support groups, legal representatives and advisors, access information about their country of origin and be prepared for their release, transfer or removal. Detainees are able to retain or recover their property.

Welfare  
Visits  
Communications  
Removal and release

Section 4: **preparation for removal and release**

# Welfare

Detainees are supported by welfare services during their time in detention and prepared for release, transfer or removal before leaving detention.

## Expectations

---

**1. Detainees are supported by welfare services to assist with practical problems caused by detention and to help them prepare for release, transfer or removal.**

### Indicators

### References

- Detainees are able to obtain support with pressing welfare matters or support needs from an appropriate person in private within 24 hours.
- Detainees' needs and concerns relating to release or removal are systematically assessed by welfare staff during induction and concerns are resolved through ongoing welfare casework.
- Welfare staff see all detainees before release to ensure all needs have been addressed.
- Detainees are aware of and have easy access to welfare staff.
- Welfare staff record and follow up all requests from detainees.
- The effectiveness of welfare work is evaluated.
- There is appropriate selection and training of welfare staff.
- Welfare staff have appropriate links to external organisations in support of detainee welfare.

BOP 1, 19

# Visits

Detainees can easily maintain contact with the outside world. Visits take place in a clean, respectful and safe environment.

## Expectations

### 2. Detainees can maintain contact with the outside world through regular and easy access to visits.

#### Indicators

#### References

- Detainees are able to receive social visits every day, including evenings, lasting a minimum of two hours. BOP 19
- The visits booking system is accessible and is able to deal with the number and diverse requirements of visitors, including those who are not fluent in English.
- Detainees' visits start on time.
- Volunteer visitor groups are actively supported by the centre and their existence is publicised.
- Extended visits are facilitated on the basis of need.

### 3. Detainees and their visitors are able to attend visits in a clean, respectful and safe environment which meets their needs.

#### Indicators

#### References

- Visitors are treated with respect and courtesy by centre staff. BOP 1, 19
- The searching of detainees, visitors and their property is conducted in a religiously and culturally sensitive way.
- Detainees' visitors are given information about how to get to the centre, its visiting hours and details about what to expect when they arrive.
- If public transport stops some distance from the establishment, transport arrangements are in place for visitors to get to and from the centre.
- Visitors are provided with lockers to store any personal property not allowed in the visits room.
- Detainees and visitors are not barred from bringing documents into the visits room other than on the basis of risk assessment.

- Visitors are subjected to the minimum necessary security checks.
- Detainees and their family members are allowed appropriate physical contact in the visits room.
- Visitors and detainees are able to give staff feedback on the visit, suggest improvements and, if necessary, complain using an accessible complaints procedure.
- Visitors can buy a range of refreshments during visits.

# Communications

Detainees can regularly maintain contact with the outside world using a full range of communications media.

## Expectations

### 4. Detainees are able to maintain contact with the outside world through regular access to a full range of communications media.

#### Indicators

- There is sufficient access to telephones at all times.
- Detainees can make international phone calls at rates comparable to those available in the community.
- Detainees without money are provided with a free call at least once a week of at least 10 minutes.
- Detainees are able to use personal email accounts and have internet access for communication, information and leisure purposes. Detainees are able to open attachments.
- Detainees can quickly and easily send and receive faxes, without charge and without restrictions on length, to ensure that legal documents are transmitted in their entirety.
- Detainees are able to send letters free of charge if they have no money, and are informed of how to do so. This provides the same level of service as privately sent mail.

#### References

BOP 19

# Removal and release

Detainees leaving detention are prepared for their release, transfer, or removal. Detainees are treated sensitively and humanely and are able to retain or recover their property.

## Expectations

### 5. Detainees are helped to prepare for their release, transfer or removal.

Indicators	References
<ul style="list-style-type: none"><li>• Detainees are given reasonable notice of any planned transfer, release or directions to remove them from the country in a language they understand.</li><li>• Detainees considered vulnerable or at risk of harm are subject to a multidisciplinary care plan and risk assessment.</li><li>• Detainees are able to inform legal advisers, family and friends of when they are to be released, transferred or removed from the centre. Free telephone and fax facilities are made available for this purpose.</li><li>• Those being transferred into further detention are given written reasons for this decision and information about the centre to which they are being transferred.</li><li>• The UK Border Agency informs relevant agencies of detainees released under licence. Licence conditions are explained to detainees.</li><li>• Copies of health treatment documentation accompany detainees when they leave the centre. This should include summary medical notes.</li><li>• Detainees being removed should be given information about sources of support in the destination country.</li><li>• Detainees with substance misuse problems can continue their treatment regime at another establishment and in the community if released. They receive information on harm minimisation and on service provision in their country of origin in a language they can understand.</li></ul>	BOP 14, 16; ICESCR 12

**6. Detainees who are to be removed or released are treated sensitively and humanely. Detainees are able to retain or recover their property.**

**Indicators****References**

- |   |   |
|---|---|
| <ul style="list-style-type: none"><li>• Systems are in place to ensure that detainees can recover essential property prior to removal and they are helped to close their affairs in the UK if necessary.</li><li>• Detainees being removed have clothing suitable for the climate to which they are going.</li><li>• Detainees are able to carry their belongings in a suitable bag.</li><li>• Allegations of assault on detainees during removal attempts, which are supported by medical evidence, are thoroughly investigated with a view to prosecution, and removals are delayed for this purpose.</li><li>• Detainees about to leave the centre are able to have visits at short notice.</li><li>• Detainees are provided with the means to reach a safe final destination.</li></ul> | <p>CAT 12, 16;<br/>BOP 1, 19;<br/>CCLEO 2;<br/>ECHR<br/>Protocol 1(1)</p> |
|---|---|

HM Inspectorate of Prisons  
**EXPECTATIONS**

Section 5: **short-term holding facilities**

**Safety**

Escort vehicles and transfers  
Arrival  
Bullying and personal safety  
Self-harm and suicide prevention  
Safeguarding (protection of adults at risk)  
Safeguarding children  
Use of force  
Legal rights  
Casework

**Respect**

Accommodation  
Positive relationships  
Equality and diversity  
Complaints  
Catering

**Activities**

Preparation for removal and release

# Safety

## Escort vehicles and transfers

Detainees under escort are treated safely, decently and efficiently.

### Expectations

---

#### 1. Detainees travel in decent conditions during escort and are treated with respect.

##### Indicators

- Escort staff are polite and respectful to detainees.
- Detainees are held in vehicles for the shortest possible period of time.
- Detainees under escort are provided with refreshment and comfort breaks if their journey exceeds two-and-a-half hours. Detention and transfer are properly documented.
- Detainees are not subject to excessive movements around the detention estate and night-time moves are kept to an absolute minimum, with specific reasons for any such moves clearly recorded on movement documentation.
- Detainees are escorted in vehicles that are safe, secure, clean and comfortable, with adequate storage for their property and with emergency supplies and hygiene packs suitable for the needs of specific groups, such as women and children.
- Escort staff ensure that detainees receive an adequate meal and drink at mealtimes.
- Detainees are transferred from police cells as soon as possible and spend no longer than one night in police accommodation.

##### References

BOP 1, 5(2);  
CCLEO 2;  
CRC 3;  
ICCPR 10(1)

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#### 2. Detainees are safe at all times while under escort, and individual needs are recognised and given proper attention.

##### Indicators

- Male and female detainees and children are transported separately, unless they are related.

##### References

BOP 1, 5(2);  
CCLEO 2, 3;

## Section 5: short-term holding facilities

## Safety escort vehicles and transfers

- Appropriate vehicles are used to transport detainees with specific needs such as pregnant women, women with babies, children and detainees with a disability, in a dignified manner. CRC 3, 37(c); ICCPR 10(1); UDHR 3
- Staff who escort children are subject to enhanced criminal background checks and are trained in and fully conversant with their statutory duty to safeguard and promote the welfare of children.
- Information relating to individual needs and risks is passed between places of detention and is known to escort staff.
- Detainees who need to take medication during escort are able to do so.
- Methods of restraint are only used if justified by individual risk assessment, including for visits to outside medical or dental appointments.
- The UK Border Agency obtains and makes available relevant background information on children and families for escort staff prior to detention.
- Arrest teams allow detainees adequate time to prepare for their journey, to dress appropriately and to collect essential belongings.

### 3. Detainees understand where they are going, why they are being transferred and what to expect when they arrive.

#### Indicators

#### References

- Detainees are given reasonable notice of and the reasons for planned transfers in a language they understand. They are able to make telephone calls to their families and legal advisers free of charge if they are without means. BOP 13, 14, 16, 18(1), 19; BPRL 8
- Detainees are given information in a format and language they understand.

## Arrival

Detainees taken into detention are treated with respect, have the correct documentation, and are held in safe and decent conditions. Family accommodation is suitable.

## Expectations

### 4. Detainees feel and are safe on their arrival into the facility.

Indicators	References
<ul style="list-style-type: none"> <li>Escort providers routinely contact the facility to which they are travelling in advance of arrival to advise them of whom they are carrying.</li> <li>All detainees are held with correct documentation, including authority to detain (IS91) and the reasons for detention (IS91R).</li> <li>Detainees with specific needs, such as pregnant women, families with babies, older and disabled detainees and those with mental health problems, receive appropriate priority.</li> <li>Detainees have a private interview using professional interpreting where necessary to establish immediate risks and needs.</li> <li><i>Detainees are supported on their first night in detention by staff who check on their wellbeing during the night.</i><sup>5</sup></li> <li>Detainees are told of the existence of the Independent Monitoring Board and how to get in touch with a member of the Board.</li> <li>Key information is given to detainees in verbal and written formats they can understand.</li> </ul>	<p>BOP 2, 5(2), 24; UDHR 3</p>

### 5. Detainees are treated with respect on arrival at the facility.

Indicators	References
<ul style="list-style-type: none"> <li>Detainees are received promptly into a welcoming area that is clean, supervised and suitable for purpose.</li> </ul>	<p>BOP 1, 13, 14, 16, 19, 24;</p>

<sup>5</sup> Indicators in italics are applicable to residential short-term holding facilities only.

- Detainees are greeted courteously in the facility. Staff establish the nationality of the detainee and their first and any other languages. CCLEO 2;  
DRM 2(1);  
ICCPR 10(1)
- The gender ratio of staff is appropriate to receive detainees and undertake searching procedures. Detainees are searched sensitively.
- Translated information is provided in the form of notices, booklets and DVDs and gives details of the facility and procedures. Interpreting is provided as necessary.
- Detainees have access to health services if required.
- If a passport or any other documents are withheld by staff, detainees are provided with reasons, a receipt and a copy of the documentation.
- Detainees are able to make free telephone calls in private soon after their arrival. Those without means are able to make free calls as necessary.
- Detainees are offered drinks and food on arrival.
- Detainees are able to retain all items of clothing unless individual risk assessment indicates otherwise.
- *Detainees are able to have a shower soon after their arrival. If necessary, clean clothing is provided.*
- *Detainees held for more than 24 hours receive a health screening and continue to have access to their prescribed medication, unless this is discontinued on medical advice.*
- *Detainees are able to obtain or retain basic toiletries on arrival.*

## Bullying and personal safety

Detainees feel and are safe from bullying and victimisation.

### Expectations

#### 6. Detainees feel and are safe from other detainees and staff.

Indicators	References
<ul style="list-style-type: none"><li>• Detainees are supervised and safe at all times and know how to summon help if necessary.</li><li>• Clear rules setting out expected standards of behaviour are published in the main languages of detainees and are readily available.</li><li>• Staff are alert to potential bullying and all forms of victimisation.</li><li>• Staff confront and challenge unacceptable behaviours.</li><li>• Detainees are protected from unwanted sexual attention.</li><li>• Female detainees are offered the option of a separate holding area.</li><li>• <i>Separate, private accommodation is provided for women, with separate toilets, showers and washing facilities.</i></li><li>• <i>Detainees are not allocated to shared accommodation until a room sharing risk assessment has been carried out.</i></li></ul>	BOP 1, 13, 14; UDHR 3

## Self-harm and suicide prevention

The facility provides a safe and secure environment which reduces the risk of self-harm and suicide.

### Expectations

#### 7. The facility provides a safe environment which reduces the risk of self-harm and suicide.

##### Indicators

- There are effective and well understood procedures for managing the risks of self-harm.
- All staff are fully trained in suicide prevention and refresher training is in place.
- Rooms and toilets are free of ligature points as far as is practicable and suitable levels of supervision are in place.
- Detainees are monitored at high-risk times, such as when removal is imminent.
- Incidents of self-harm are closely monitored and analysed at regular intervals to establish any trends and to implement preventive measures. Serious incidents are properly investigated to establish what lessons can be learned and to promote good practice.
- Missed meals are monitored and staff are alert to the possibility of food refusal.
- Staff routinely carry anti-ligature knives.

##### References

CCLEO 2, 6;  
UDHR 3

## Safeguarding (protection of adults at risk)

The centre promotes the welfare of all detainees, particularly adults at risk, and protects them from all kinds of harm and neglect.<sup>6</sup>

### Expectations

8. **Detainees, particularly adults at risk, are provided with a safe and secure environment which protects them from harm and neglect. They receive safe and effective care and support.**

#### Indicators

#### References

- |  |                                       |
|--|---------------------------------------|
| <ul style="list-style-type: none"> <li>• The risks to detainees are recognised and there are guidance and procedures to help reduce and prevent harm or abuse from occurring.</li> <li>• When abuse is alleged or suspected to have occurred, prompt and appropriate action is taken to protect the detainee.</li> <li>• An individual care plan is in place to address a detainee's assessed needs.</li> <li>• Staff are aware of their personal and professional responsibility to protect adults at risk and undergo appropriate training.</li> <li>• Staff are subject to recruitment and vetting procedures which comply with necessary legislation.</li> </ul> | CAT 11, 12, 16;<br>CCLEO 6;<br>UDHR 3 |
|--|---------------------------------------|

<sup>6</sup> We define an adult at risk as a person aged 18 years or over, 'who is or may be in need of community care services by reason of mental or other disability, age or illness; and who is or may be unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation'. 'No secrets' definition (Department of Health 2000).

## Safeguarding children

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

### Expectations

#### 9. Children are properly protected in a safe environment. All staff safeguard and promote their welfare.

Indicators	References
<ul style="list-style-type: none"> <li>A comprehensive child protection policy and guidance are in place which have been agreed by the local safeguarding children board or equivalent.</li> <li>All staff raise concerns about the safety and welfare of children in accordance with agreed referral procedures in the child protection policy.</li> <li>The individual welfare needs of the child are taken into account when deciding whether to detain and throughout the detention process.</li> <li>Unaccompanied children are referred immediately on arrival to social services.</li> <li>Children are detained only in exceptional circumstances and for the minimum time.</li> <li>All staff who have contact with children are appropriately vetted and trained.</li> <li>Staff are aware of their duty to raise concerns about the conduct of colleagues in relation to the treatment of children. Staff feel confident and safe to raise these concerns.</li> <li>There is regular monitoring of the number of children detained, their age and the duration of detention.</li> <li>Detainees who claim to be under 18 are promptly assessed by social services and properly cared for while in the facility. The burden of proof in age dispute cases is on the UK Border Agency. Cases are subject to prompt independent professional assessment in line with the Merton judgment.<sup>7</sup></li> </ul>	<p>CRC 3, 19, 37(b); Mubilanzila Mayeka and Kaniki Mitunga v Belgium</p>

<sup>7</sup> The Merton judgment was handed down by Burnton J in the High Court on 14 July 2003, and gives guidance as to the requirements of a lawful assessment by a local authority of the age of a young asylum seeker claiming to be under the age of 18 years.

## Use of force

Force is only used as a last resort and for legitimate reasons.

## Expectations

### 10. Detainees are only subject to force which is legitimate, used as a last resort and for no longer than necessary.

#### Indicators

- Use of force is subject to rigorous governance.
- All staff are trained in and promote de-escalation techniques.
- Any incidents of force are properly authorised, correctly and comprehensively recorded, and effectively monitored.
- Any use of control and restraint methods is documented, staff are trained in these procedures and there is effective oversight by the UK Border Agency.
- Handcuffs are only used when there is evidence to support their use and with the proper authority.
- Detainees subject to control and restraint procedures are seen by a health care practitioner as soon as possible after restraint is removed.
- Detainees kept separate are in appropriate accommodation, and are monitored closely for their physical, emotional and mental wellbeing. Staff keep accurate records.

#### References

BPUF 15;  
CCLEO 3

## Legal rights

Detainees are fully aware of and understand their detention. Detainees are supported by the facility staff to exercise their legal rights freely.

## Expectations

### 11. Detainees are supported by the facility staff to exercise their legal rights freely.

Indicators	References
<ul style="list-style-type: none"> <li>• Detainees are able to retain their legal documents.</li> <li>• Detainees are able to obtain speedily regulated and good quality legal advice and representation in a language they understand.</li> <li>• Detainees are informed, in a language they understand, of their rights to apply for legal advice and bail soon after arriving at the facility.</li> <li>• Detainees are able to contact their legal representatives without impediment. In addition to a telephone call, faxes and emails are provided free of charge.</li> <li>• Representatives are able to visit and interview their clients in private.</li> <li>• <i>Detainees receive information, in a language they understand, about how to complain about poor quality legal representation.</i></li> <li>• <i>Detainees have access to up-to-date legal textbooks, their personal documentation and other reports or materials necessary to help their immigration or asylum case. Bail application forms and information about procedures are available.</i></li> </ul>	<p>BOP 11, 13, 14, 17, 18; BPRL 1, 2, 5, 7, 8; DHRIN 5(1)(c)</p>

## Casework

Detention is carried out on the basis of individual reasons that are clearly communicated. Detention is for the minimum period necessary.

## Expectations

### 12. Detainees understand why they are detained. The reasons are clearly communicated and effectively reviewed.

#### Indicators

- Detainees receive written individual reasons for their detention in a language they understand.
- UK Border Agency staff explain to detainees their status and rights in a language they understand and keep them updated with progress.

#### References

BOP 11, 13, 14;  
DHRIN 5(1)(c), Saadi v United Kingdom

### 13. Detention is for the minimum period necessary and detainees are kept informed about the progress of their cases.

#### Indicators

- Casework is progressed promptly and detainees are kept informed of progress.
- Interpreters are always available in interviews so that detainees can express themselves fully and understand their rights and any important decisions.
- Detainees who may not be fit for detention are quickly identified and properly assessed. Their cases are reviewed by the UK Border Agency as a matter of priority.
- Potential victims of trafficking are identified and referred to the National Referral Mechanism.

#### References

BOP 1, 24;  
CCLEO 6;  
DHRIN 5(1)(c)

# Respect

## Accommodation

Detainees are held in a safe, clean and decent environment.

## Expectations

### 14. Detainees are held in a safe, clean and decent environment which is in a good state of repair and fit for purpose.

Indicators	References
<ul style="list-style-type: none"><li>• Holding rooms are properly ventilated, kept at a comfortable temperature and provide a separate no-smoking area, or are non-smoking.</li><li>• Detainees have access to single-sex sanitation and washing facilities that are clean and in working order, and that afford privacy.</li><li>• Sanitary protection is freely available for women and there are nappy changing facilities for babies.</li><li>• All detainees can easily and quickly gain staff attention in an emergency.</li><li>• There are no obvious weaknesses or anomalies in the physical and procedural security of the facility.</li><li>• Detainees' property is stored securely and properly accounted for.</li><li>• <i>The environment of the facility is unoppressive and suitable for a detainee population, with freedom of movement limited only by the requirements of safety.</i></li><li>• <i>Sufficient comfortable beds and seating areas are provided for the numbers held and these are suitable and in a good state of repair.</i></li><li>• <i>If it is necessary to use holding rooms for overnight accommodation, there is appropriate sleeping, hygiene and catering provision.</i></li><li>• <i>Couples and families are normally held together even in cases where individual family members are over 18. Families are able to dine together as a unit and are located in shared or adjoining rooms.</i></li></ul>	<p>BOP 1, 5(2); ICCPR 10(1); UDHR 3</p>

## Positive relationships

Detainees are treated with respect by all staff, with proper regard for the uncertainty of their situation and their cultural backgrounds.

## Expectations

- 15. Detainees are treated with humanity and respect for their human dignity at all times. Relationships between detainees and staff are positive and courteous.**

### Indicators

- Staff are fair and courteous to detainees.
- Staff set a personal example in the way they carry out their duties.
- Staff introduce themselves to new detainees and wear identification that clearly displays their name and status. Information about detainees' needs is communicated between staff sensitively.
- Staff engage positively with detainees at all times.

### References

BOP 1;  
CCLEO 2;  
ICCPR 10(1)

## Equality and diversity

There is understanding of the diverse backgrounds of detainees and different cultural backgrounds. The distinct needs of each protected characteristic, including race equality, nationality, religion, disability, gender, transgender, sexual orientation, age and pregnancy, are recognised and addressed.

## Expectations

### 16. Staff promote a respectful and safe environment, in which each of the distinct protected characteristics of detainees is recognised and addressed with respect and dignity.

#### Indicators

- All protected characteristics are recognised and addressed, irrespective of the number of detainees in the population of that group.
- Staff are trained in equality and diversity issues and are aware of the backgrounds of detainees and their duties under the Equality Act 2010.
- Detainees are able to make a formal complaint about any incidence of discrimination and are helped to do so.
- Managers and staff promote an understanding of and demonstrate respect for all ethnic, national, cultural and other diverse groups. Inappropriate language or conduct by staff, visitors or detainees is challenged.

#### References

BOP 33;  
CCLEO 2;  
CERD 7;  
DRM 1, 2(1)

### 17. Detainees of all diverse groups are treated equitably and according to their individual needs.

#### Indicators

- Equality assessments of all locally implemented policies are undertaken.
- Detainees are able to practise their religion and common religious items are available.
- The facility provides for the needs of detainees and visitors with disabilities.
- Professional interpreting is used with detainees who are not fluent in English.

#### References

BOP 1, 14;  
CERD 7;  
CRPD 4, 5;  
DRM 1, 2(1),  
4;  
ECHR 9

## Complaints

Effective complaints procedures are in place for detainees which are easy to access and use, in a language they can understand. Responses are timely and can be understood by detainees.

## Expectations

### 18. Detainees have confidence in complaints procedures, which are effective, timely and well understood.

#### Indicators

- There is a published complaints procedure.
- Detainees can make a formal complaint confidentially at any time and are able to complain to the UK Border Agency and/or the Independent Monitoring Board.
- Complaint forms are freely available in languages detainees can understand.
- Formal complaints are dealt with fairly and promptly with either a resolution or a comprehensive explanation of future action. Complaints are monitored.
- Responses are communicated in the language in which the complaint was submitted.
- Concerted efforts are made to communicate responses to detainees who have left the facility.

#### References

BOP 14, 33

## Catering

Detainees are offered varied meals to meet their individual requirements. Food is prepared and served according to religious, cultural and prevailing food safety and hygiene regulations.

## Expectations

- 19. Detainees are offered a suitable range of food and drink which meets their individual needs, including religious, cultural or other special dietary requirements.**

### Indicators

- Those detained for several hours are offered a hot meal.
- Food is healthy, varied, balanced and suitable for the diverse needs of detainees.
- Snacks and hot and cold drinks are freely available.
- Detainees are able to register any food complaints in their own language and these complaints are regularly checked by a manager.
- All areas where food is stored, prepared or served are properly equipped and well managed.

### References

BOP 1, 5(2),  
33;  
DED RB 1 (3);  
DRM 1, 2,  
4(1, 2);  
ECHR 9

# Activities

The facility encourages activities to preserve and promote the mental and physical wellbeing of detainees.

## Expectations

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### 20. Detainees have regular and equitable access to facilities that meet their needs.

Indicators	References
<ul style="list-style-type: none"><li>• There are sufficient activities and facilities to enable detainees to occupy themselves.</li><li>• Detainees have access to books, newspapers and dictionaries in a range of languages, TV and DVDs.</li><li>• Detainees held for several hours have access to exercise in the fresh air.</li><li>• Suitable recreational activities are provided for children which include exercise, play opportunities and access to the fresh air.</li></ul>	<p>BOP 1, 28; CRC 31</p>

# Preparation for removal and release

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

## Expectations

### 21. Detainees can maintain contact with the outside world through easy access to visits and a full range of communications media.

#### Indicators

- Detainees have access to incoming and outgoing phones and can use their own mobile phones. There are arrangements to change money for the use of the payphone.
- Detainees are able to use email and have controlled internet access for communication and information purposes.
- Where practicable, detainees are able to have visitors. Visitors are able to deliver property.
- *Information about local or national visiting groups is available to detainees.*

#### References

BOP 19

### 22. Detainees are helped to prepare for their release, transfer or removal.

#### Indicators

- Immigration staff work with other staff in the facility to ensure that detainees are prepared for their removal and are given adequate time and facilities to consult their legal representatives.
- Detainees are able to inform legal advisers and family free of charge about when they are to be released, transferred or removed from the facility.
- Detainees being transferred to further detention are given written reasons and information about the place to which they are being transferred.
- Detainees being removed should be given information about sources of support in the destination country.

#### References

BOP 1, 14, 17-19

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**23. Detainees who are to be removed or released are treated sensitively and humanely. Detainees are able to retain or recover their property.****Indicators****References**

- |   |   |
|---|---|
| <ul style="list-style-type: none"><li>• Removal or discharge is managed sensitively and humanely. Detainees considered vulnerable or at risk of self-harm or violent behaviour have an individual risk assessment and care plan where appropriate.</li><li>• Systems are in place to arrange for property to be restored and any private cash to be withdrawn from accounts prior to removal/release.</li><li>• Detainees being removed have basic clothing, suitable to the climate to which they are going, and a suitable bag to carry their property.</li></ul> | <p>BOP 1;<br/>CCLEO 2;<br/>ECHR<br/>Protocol 1(1)</p> |
|---|---|



HM Inspectorate of Prisons  
**EXPECTATIONS**

Section 6: **overseas escorts\***

Safety  
Respect  
Preparation for reintegration

\*These expectations are used for both international and domestic escort inspections, with expectations that are not relevant to domestic inspections disregarded.

# Safety

Detainees are escorted in safety and due regard is given to individual needs and risks. Removals are conducted in accordance with law. Security and good order are maintained through proportional operational arrangements and force is only used as a last resort.

## Expectations

1. **Detainees are adequately prepared for the removal. They are treated with respect and sensitivity at the initiation of the journey, and staff understand their individual needs and risks.**

### Indicators

- Detainees have not been subject to unnecessary or ill-timed journeys in the 48 hours before the removal.
- Collection from the place of detention is managed sensitively and humanely. Detainees considered vulnerable or at risk of self-harm or violent behaviour have a risk assessment and care plan where appropriate. Information relating to health and to special needs, such as whether they are accompanied by children or whether they are at risk of harm to themselves or others, is handed over to escort staff.
- Systems are in place to arrange for property to be restored and any private cash to be withdrawn from accounts before removal.
- Escort staff introduce themselves to new detainees.
- Information about detainees' needs is communicated between staff sensitively.

### References

BOP 1;  
CCLEO 2;  
ECHR  
Protocol 1(1);  
ICCPR 10(1)

2. **Security and good order are maintained through effective, reasonable and proportionate operational arrangements.**

### Indicators

- Detainees are searched sensitively and the gender ratio of staff is appropriate to care for men and women.
- Instructions to detainees are clear, reasonable and respectful.
- Rules are applied openly, fairly and consistently.
- Staff do not use threatening or intimidating behaviour.

### References

BOP 1, 5(2);  
CCLEO 2

### 3. Force is only used as a last resort, to the minimum degree and for the shortest possible time.

#### Indicators

- Force is used only as a last resort, for no longer than necessary, and is subject to rigorous management monitoring.
- Any use of control and restraint is documented and staff are trained in accredited techniques and use them correctly. Only accredited techniques are used.
- There is effective oversight by the UK Border Agency.
- Detainees subject to control and restraint procedures are seen by a health care practitioner as soon as possible after restraint is removed.
- Methods of restraint are only used if, and for as long as, they are justified by risk assessment.

#### References

BPUF 15;  
CCLEO 3

### 4. Detainees feel and are safe from bullying and victimisation.

#### Indicators

- Detainees are supervised and safe at all times and know how to summon help if necessary.
- Staff are alert to potential bullying and confront all forms of victimisation.
- Staff wear identification and are prepared to challenge colleagues whose behaviour falls below acceptable standards.
- Detainees are protected from unwanted sexual attention.
- Male and female detainees and children are transported separately, unless they are related.
- Staff are aware of their personal and professional responsibility to safeguard adults at risk and undergo appropriate training.

#### References

BOP 1, 5(2);  
CCLEO 2;  
UDHR 3

**5. Detainees at risk of self-harm or suicide receive personal and consistent support to address their individual needs and have unhindered access to help.**

**Indicators**

- There are effective procedures for managing the risks of self-harm, such as individual observation logs.
- Staff show care for those who are distressed or vulnerable, record significant events and refer quickly to medical staff when necessary. There is continuity of care throughout the removal process.
- All staff are fully trained in suicide prevention and understand contingency and intervention plans.

**References**

BOP 1;  
CCLEO 2, 6;  
ICESCR 12

**6. Removal is conducted in accordance with the law and published policy. Detainees understand their legal rights and can communicate freely with their legal representatives.**

**Indicators**

- All detainees are served with correct documentation for removal, at least 72 hours (including at least two working days) before the event, in a language that they understand.
- Detainees have proper access to legal advice. They are able to inform legal advisers and family when they are to be removed from the centre. Free telephone and fax facilities are made available for this purpose.
- UK Border Agency staff who are present during the removal ensure that legal requirements and the duty of care are carried out properly.

**References**

BOP 13, 14,  
17-19

**7. Child protection procedures conform to the law. Staff understand and apply them to ensure that children remain safe.**

**Indicators**

- Staff who escort children are subject to enhanced criminal background checks and are trained in and fully conversant with their statutory duty to safeguard and promote the welfare of children.

**References**

CRC 3, 19

- There is a comprehensive child protection policy which takes full account of the needs of detained children and which all staff understand and act on when appropriate.
- Child protection procedures and protocols are agreed with the local safeguarding children board.
- There is a child protection coordinator who is a senior member of staff and is suitably trained and experienced to carry out this task.
- There is a code of conduct informing staff of their duty to raise legitimate concerns about the conduct of colleagues and managers in relation to the treatment and management of children.

# Respect

Detainees are escorted in decent physical conditions and individual needs are addressed. Detainees are treated with humanity and respect.

## Expectations

### 8. The physical conditions for detainees during the journey are decent, and cater for those who have specific needs.

#### Indicators

- Detainees travel by road in vehicles that are safe, secure, clean and comfortable, with adequate storage for their property and with emergency supplies and hygiene packs which are suitable for the needs of women and children.
- Detainees with special needs – including pregnant women, parents with babies, children, older or disabled detainees or those with a mental health problem – receive appropriate treatment during transit and are treated with dignity.
- Detainees are held in vehicles or aircraft for the minimum possible period of time and waiting times are as short as possible. Any delays are explained.
- Seating arrangements in aircraft are comfortable and adequate for the length of journey. Detainees have sufficient freedom of movement, subject to risk assessment.
- During their journeys, detainees have access to drinking water and refreshments at no charge. Food is healthy, varied, balanced and suitable for diverse needs. Hot food and drinks are provided on flights.
- Detainees have private access to sanitation and to washing facilities that are clean and in working order. Women's sanitary products are freely available. Nappies and nappy changing facilities are available for babies.

#### References

BOP 1, 5(2);  
CCLEO 2;  
CRC 3;  
UDHR 3

### 9. Detainees have adequate clothing and their possessions are stored securely.

#### Indicators

- Detainees being removed have basic clothing, suitable to the climate to which they are going, and a suitable bag to carry their property.

#### References

BOP 1

- Detainees' property is stored securely, and any concerns about property or money are handled effectively and with consideration.
- Detainees can keep money and valuables with them if they wish, subject to risk assessment.
- Detainees are provided with blankets and pillows during flights.

**10. Detainees are treated with humanity and respect and escort staff interact positively with them.**

**Indicators**

**References**

- |  |  |
|--|--|
| <ul style="list-style-type: none"> <li>• Staff interact politely and positively with detainees, use preferred names and check detainees' understanding of what is said to them.</li> <li>• Staff do not use inappropriate language or behave in ways that are likely to increase stress or discomfort or cause distress.</li> <li>• Staff engage positively with detainees at all times and interaction between staff and detainees is encouraged.</li> <li>• Staff establish the nationality of detainees and their first and any other languages, and are careful to make themselves understood and to understand what detainees may wish to say.</li> <li>• Sufficient information is provided to detainees about the process and what will happen, in the detainees' languages where necessary.</li> </ul> | <p>BOP 1, 13, 14;<br/>CCLEO 2;<br/>ICCPR 10(1)</p> |
|--|--|

**11. All staff work effectively to eliminate unlawful discrimination and promote equality.**

**Indicators**

**References**

- |  |   |
|--|---|
| <ul style="list-style-type: none"> <li>• Managers and staff promote an understanding of and demonstrate respect for all ethnic, national, cultural and other diverse groups. Inappropriate language or conduct by staff or detainees is challenged.</li> <li>• Professional interpreting is used wherever necessary to ensure effective communication with detainees who do not speak fluent English.</li> </ul> | <p>BOP 1, 14;<br/>CCLEO 2;<br/>CEDAW 2;<br/>CERD 2;<br/>CRPD 4, 5;<br/>DRM 4, 5;<br/>ECHR 9</p> |
|--|---|

- Detainees with special needs receive appropriate treatment.
- Staff are trained in diversity issues.
- Detainees are able to practise their religion as far as is practicable.

## 12. An effective complaints system is in place.

### Indicators

### References

- Detainees are able to submit complaints, including confidential written complaints, during escort and following arrival in the destination country. They are informed of how to do so, advised of the procedure and assisted by staff if necessary.
- Every effort is made to ensure that detainees receive a swift response to comments or complaints, regardless of their location.

BOP 33

## 13. Detainees' health needs are met.

### Indicators

### References

- All detainees have immediate access to health care from suitably qualified staff, and detainees with significant health needs have access to health care professionals.
- Detainees who need to take medication during escort are able to do so.
- Medical information is shared appropriately to ensure continuity of care.
- Before removal, detainees are provided with a letter for their future treating clinicians (medical notes).

BOP 24;  
CCLEO 6;  
ICESCR 12;  
PME 1

# Preparation for reintegration

Detainees are prepared for their arrival and early days in the destination country. Any unacceptable behaviour in destination countries is appropriately challenged.

## Expectations

### 14. Detainees are helped to prepare for their arrival and early days in the destination country and their arrival is managed as smoothly and constructively as possible.

#### Indicators

- Detainees are given information about the destination country, including the help available to those without means to support themselves, or without family and friends in that country. Such information is also given in advance of the removal and detainees are helped to contact sources of support and advice.
- Staff promptly refer any concerns expressed by detainees about reintegration to UK Border Agency staff, and UK Border Agency staff give appropriate information and advice.
- UK Border Agency staff liaise with the officials of the receiving country, ensuring clarity in handover arrangements and briefing senior escort staff on the arrangements.
- Final disembarkation is managed calmly and in accordance with agreed procedures.

#### References

BOP 1, 13,  
14, 19;  
CCLEO 2;  
Mubilanzila  
Mayeka  
and Kaniki  
Mitunga v  
Belgium

### 15. If UK Border Agency or escort staff witness any threatening, abusive or unacceptable behaviour by receiving authorities on disembarkation, this is appropriately challenged.

#### Indicators

- Any unacceptable behaviour is clearly documented.
- There is a mechanism for representations to be made to receiving countries.
- Detainees are able to complain of any unacceptable behaviour during the removal process after removal.

#### References

BOP 1, 33;  
CCLEO 2;  
UDHR 3

## Section 7: **family detention**

### **Safety**

- Escort vehicles and transfers
- Arrival
- Bullying and personal safety
- Self-harm and suicide prevention
- Safeguarding (protection of adults at risk)
- Safeguarding children
- The use of force and single separation
- Legal rights
- Casework

### **Respect**

- Accommodation
- Positive relationships
- Equality and diversity
- Faith and religious activity
- Complaints
- Health services
- Catering

### **Activities**

- Preparation for removal and release

# Safety

## Escort vehicles and transfers

Families under escort are treated safely, decently and efficiently. Due regard is given to the specific needs of children.

## Expectations

### 1. Families travel in decent conditions during escort and are treated with respect.

Indicators	References
<ul style="list-style-type: none"><li>• Escort staff are polite and respectful to detainees and are aware of the particular needs of children and families. They ensure that parents have what they need to take care of their children during the journey.</li><li>• Families are held in vehicles for the shortest possible period of time.</li><li>• Families under escort are provided with refreshment and comfort breaks which are sufficient to meet the needs of babies and children. Detention and transfer are properly documented.</li><li>• Families are subject to night-time moves only in exceptional circumstances.</li><li>• Families are escorted in vehicles that are safe, secure, clean and comfortable, with adequate storage for their property and with emergency supplies and hygiene packs that are suitable for the needs of women and children.</li><li>• Escort staff ensure that families receive an adequate meal and drink at mealtimes.</li></ul>	BOP 1, 5(2); CCLEO 2; CRC 3, 5

### 2. Families are safe at all times while under escort, and their individual needs are recognised and given proper attention.

Indicators	References
<ul style="list-style-type: none"><li>• Families are transported together. Unrelated male and female detainees and children are transported separately.</li><li>• The fears and anxieties of children are recognised by escort staff and they assist parents appropriately to comfort and reassure their children.</li></ul>	BOP 1, 5(2); CCLEO 2, 3; CRC 3, 5, 37(c); UDHR 3, 16(3)

- Appropriate vehicles are used to transport detainees with specific needs such as pregnant women, women with babies, children and detainees with disabilities, in a dignified manner.
- Staff who escort children are subject to enhanced criminal background checks and are trained in and fully conversant with their statutory duty to safeguard and promote the welfare of children.
- Information relating to individual needs and risks is passed between places of detention and is known to escort staff.
- Detainees who need to take medication during escort are able to do so.
- Methods of restraint are only used on adults in exceptional circumstances and the impact on children of any such action is considered.
- The UK Border Agency obtains and makes available relevant background information on children and families for escort staff prior to detention.
- Arrest teams allow families adequate time to prepare for their journey, to dress appropriately and to collect essential belongings.

### 3. Families understand where they are going and what to expect when they arrive.

Indicators	References
<ul style="list-style-type: none"> <li>• Parents are given reasonable notice of, and reasons for planned transfers in a language they understand. They have the opportunity to make a telephone call to their families and legal advisers.</li> </ul>	BOP 13, 14, 16, 18, 19; BPRL 8; CRC 5
<ul style="list-style-type: none"> <li>• Parents are allowed time to talk to their children and explain what is going to happen in order to minimise their fears and anxieties as far as possible.</li> </ul>	
<ul style="list-style-type: none"> <li>• Detainees are given information in a format and language they understand.</li> </ul>	

## Arrival

Families arriving at the centre are treated with respect, have the correct documentation, and are held in safe and decent conditions.

## Expectations

### 4. Families feel and are safe on their arrival into the centre.

#### Indicators

- Escort providers routinely contact the centre to which they are travelling in advance of arrival to advise them of whom they are carrying.
- All detainees are held with correct documentation, including authority to detain (IS91) and the reasons for detention (IS91R).
- Families have their immediate needs assessed on arrival in an appropriate environment. Parents are allowed time with their children on arrival so that they are able to comfort and reassure them.
- Interpreting is used for those who are not fluent in English.

#### References

BOP 2, 14, 24;  
CRC 3;  
UDHR 3

### 5. Families are treated with respect on arrival at the centre.

#### Indicators

- Centre staff have detailed advanced knowledge of families and take steps to prepare a tailored welcome for them.
- Families are received promptly into a welcoming area that is clean, supervised and suitable for children.
- There is a discrete area where parents can spend time with their children to comfort and reassure them.
- Families are greeted courteously in the centre. Staff establish the nationality of the detainees and the languages spoken.
- There are staff available who are trained to work with children in distress.

#### References

BOP 1, 5(2), 13, 14, 19;  
CCLEO 2;  
CRC 3, 5, 16;  
DRM 4;  
ECHR 8

- Searching is respectful and is kept to a minimum. The gender ratio of staff is appropriate to receive detainees and undertake searching procedures.
- Translated information is provided in the form of notices, booklets and DVDs, and gives details of the centre and procedures. Interpreting is provided as necessary.
- Detainees are able to have a shower soon after their arrival. If necessary, clean clothing is provided.
- Families are able to make a free telephone call in private on arrival. Those without means are able to make free calls as necessary.
- Families are offered drinks and appropriate food on arrival.
- Parents are given what they need to provide for their children.

## 6. Families are fully supported on arrival and for the duration of detention.

### Indicators

### References

- |   |                         |
|---|-------------------------|
| • Families are able to obtain help with urgent support needs.   | BOP 1, 5(2),<br>13, 14; |
| • Staff introduce themselves to new families and wear identification that clearly displays their name and status. Information about detainees' needs is communicated sensitively between staff. | CCLEO 2;<br>CRC 5       |
| • Parents are asked about their children's routines so that they can be maintained as far as possible while in detention.   |                         |
| • Families are encouraged and enabled to be self-sufficient. Parents are encouraged and enabled to look after their children.   |                         |
| • Families understand the centre's routines and how to access available services to help them cope with detention.  |                         |
| • Staff provide appropriate support to families during their first night in detention.  |                         |
| • Detainees are able to obtain basic toiletries on arrival.   |                         |

## Bullying and personal safety

Families feel and are safe from bullying and victimisation.

### Expectations

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#### 7. Families feel and are safe from other detainees and staff.

##### Indicators

- There are systems in place to ensure that staff identify, fully assess and properly manage the risk that detainees may present to children.
- Staff are alert to potential bullying and all forms of victimisation.
- Staff confront and challenge unacceptable behaviour.
- Staff supervision provides protection for detainees in all areas of the centre.
- Detainees are protected from unwanted sexual attention.

##### References

CCLEO 2;  
CRC 19;  
UDHR 3

## Self-harm and suicide prevention

The centre provides a safe environment that reduces the risk of self-harm and suicide.

### Expectations

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#### 8. Families feel and are safe from other detainees and staff.

Indicators	References
<ul style="list-style-type: none"><li>• There are effective multidisciplinary procedures for managing the risks of self-harm.</li><li>• Staff manage the risk to children when members of their family are at risk of self-harm.</li><li>• All staff are fully trained in suicide prevention and refresher training is in place. There are sufficient trained staff, of appropriate gender, to respond to any incident of self-harm.</li><li>• Detainees are monitored at high-risk times, such as when removal is imminent.</li><li>• Incidents of self-harm are closely monitored and analysed at regular intervals to establish any trends and to implement preventive measures. Serious incidents are properly investigated to establish what lessons can be learned and to promote good practice.</li><li>• Missed meals are monitored and staff are alert to the possibility of food refusal.</li><li>• Staff routinely carry anti-ligature knives</li><li>• Separation or strip conditions are not used to manage the risk of self-harm.</li></ul>	CCLEO 2, 6; UDHR 3

## Safeguarding (protection of adults at risk)

The centre promotes the welfare of all detainees, particularly adults at risk, and protects them from all kinds of harm and neglect.<sup>8</sup>

### Expectations

9. **Detainees, particularly adults at risk, are provided with a safe and secure environment that protects them from harm and neglect. They receive safe and effective care and support.**

Indicators	References
<ul style="list-style-type: none"> <li>The risks to detainees are recognised and there are guidance and procedures to help reduce and prevent harm or abuse from occurring.</li> <li>When abuse is alleged or suspected to have occurred, prompt and appropriate action is taken to protect the detainee.</li> <li>An individual care plan is in place to address a detainee's assessed needs.</li> <li>Staff are aware of their personal and professional responsibility to protect adults at risk and undergo appropriate training.</li> <li>Staff are subject to recruitment and vetting procedures which comply with necessary legislation.</li> </ul>	CAT 11, 12, 16; CCLEO 2, 6; UDHR 3

<sup>8</sup> We define an adult at risk as a person aged 18 years or over, 'who is or may be in need of community care services by reason of mental or other disability, age or illness; and who is or may be unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation'. 'No secrets' definition (Department of Health 2000).

## Safeguarding children

The centre promotes the welfare of children, particularly those most at risk, and protects them from all kinds of harm and neglect.

### Expectations

10. **Children are provided with a safe and secure environment which protects them from harm and neglect and they receive services that seek to ensure safe and effective care and support.**

#### Indicators

#### References

- The welfare of children is paramount in all reviews and decisions relating to ongoing detention.
- All staff who have contact with children are properly vetted and trained.
- There is regular monitoring of the number of children detained, their age and the duration of detention.
- Staff are alert to children's distress and appropriate specialist support is provided. Families are involved appropriately and are used as a source of support and protection for their children.
- There is evidence of ongoing links between the local safeguarding children board or equivalent, and the centre.
- The centre is fully compliant with the requirements of any independent review, or other such process, initiated by the local safeguarding children board (or equivalent) following instances of significant harm to a child or young person in detention.

CRC 3, 5, 19

## Expectations – Child protection

### 11. Children and young people are protected from maltreatment by adults or other children and young people.

Indicators	References
<ul style="list-style-type: none"> <li>• A comprehensive child protection policy and guidance are in place, which have been agreed by the local safeguarding children board or equivalent.</li> <li>• There is a child protection coordinator who is a senior member of staff and is suitably trained and experienced to carry out this task.</li> <li>• Accurate and up-to-date information is provided to the centre in advance, in particular on any child who is on a child protection register or any adult who is subject to public protection measures.</li> <li>• Staff are aware of their duty to raise legitimate concerns about the conduct of colleagues in relation to the treatment and management of children. Staff feel confident and safe to raise these concerns in accordance with agreed referral procedures in the child protection policy.</li> <li>• When abuse is alleged or suspected to have occurred, prompt and appropriate action is taken to protect the child and support them.</li> <li>• Referral procedures and subsequent arrangements for investigation by the local authority are clearly set out in the policy. Removal is delayed pending the outcome of any such investigation.</li> <li>• Referral criteria take account of the specific needs of children in detention.</li> <li>• Visitors and families know how to make a referral directly to the local authority if they are concerned that a child is being, or has been, maltreated while in custody.</li> <li>• Any allegation of maltreatment of a child by a member of staff is referred to the local authority designated officer whose role is clearly described.</li> </ul>	<p>CAT 12, 16; CRC 3, 19, 39</p>

- The centre provides a range of therapeutic, counselling and advice services, either directly or through external providers, which are available to children who have suffered any form of abuse.
- Staff receive specific training on how to handle a disclosure of abuse made to them by a child or young person. Staff are offered ongoing supervision and support following their involvement in a disclosure.
- There is a robust 'checks and balances' system that ensures that all allegations of maltreatment are quality assured by more than one senior person who has the expertise and independence to deal with the allegations objectively.
- The child protection database records all child protection referrals, the outcomes of investigations and the stage that those yet to be completed have reached. It is held securely so that an appropriate level of confidentiality is maintained with access granted to the duty manager as required.
- Child protection referrals are monitored to identify patterns and trends.

## The use of force and single separation

Force is only used as a last resort and for legitimate reasons. Detainees are separated for the shortest possible period and are in appropriate accommodation. The centre's disciplinary procedures are not applied to children.

### Expectations

- 12. Detainees are only subject to force which is legitimate, used as a last resort and for no longer than necessary. The centre's disciplinary procedures are not applied to children.**

Indicators	References
<ul style="list-style-type: none"> <li>Force is only used in exceptional circumstances with due regard to the effect on children witnessing it. If used in front of children, the impact on the child should be promptly and appropriately assessed and recorded.</li> <li>Use of force is subject to rigorous governance.</li> <li>Detainees and their legal representatives are able to access promptly records of incidents where force has been used on them which are held by staff.</li> <li>All staff are trained and promote de-escalation techniques.</li> <li>Any incidents of force are properly authorised, correctly and comprehensively recorded, and effectively monitored.</li> <li>Any use of control and restraint methods is documented, staff are trained in these procedures and there is effective oversight by the UK Border Agency.</li> <li>Handcuffs are only used when there is evidence to support their use and with the proper authority.</li> <li>Detainees subject to control and restraint procedures are seen by a health care practitioner as soon as possible after restraint is removed. They are told that they can request that health care staff take photographs of any injuries, and they are helped to do this promptly.</li> </ul>	<p>BOP 5(2); BPUF 15; CCLEO 3; CRC 3</p>

- Video cameras are used to record planned interventions.
- There is an up to date and published policy on how children who are resisting removal are to be managed.
- Force is never used on children unless it is to protect them or others from immediate harm. Approved techniques only are used in such circumstances.
- Detainees are separated for the shortest possible period and are in appropriate accommodation. They have access to phones, social and legal visitors and are visited by religious ministers, welfare staff and centre managers. They are monitored closely for their physical, emotional and mental wellbeing. Staff keep accurate records.

## Legal rights

Detainees are fully aware of and understand their detention. Detainees are supported by the centre staff to exercise their legal rights freely.

## Expectations

### 13. Detainees are supported by the centre staff to exercise their legal rights freely.

Indicators	References
<ul style="list-style-type: none"><li>• Detainees are able to retain their legal documents.</li><li>• Detainees are able to obtain speedily good quality legal advice and representation in a language they understand.</li><li>• Detainees are able to contact their legal representatives without impediment.</li><li>• Detainees are able to send faxes to their legal representatives free of charge.</li><li>• Suitable facilities are provided to allow visits with legal representatives to take place in private.</li><li>• Legal representatives have access to their laptop computers and mobile phones in the centre.</li><li>• Appropriate childcare facilities are provided during legal and immigration interviews.</li></ul>	BOP 11, 13, 14, 17, 18; BPRL 2, 7, 8

## Casework

Detention is carried out on the basis of individual reasons that are clearly communicated. Detention is for the shortest period necessary.

## Expectations

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### 14. Detainees understand why they are detained. The reasons are clearly communicated and effectively reviewed.

#### Indicators

- Detainees receive individual written reasons for their detention in a language they understand.
- UK Border Agency staff explain to detainees their status and rights in a language they understand and keep them updated with progress.

#### References

BOP 13, 14

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### 15. Detention is for the shortest period necessary and detainees are kept informed about the progress of their cases.

#### Indicators

- Casework is progressed promptly. Detainees know who the responsible UK Border Agency case owner is and are kept informed of progress.
- Interpreters are always available in interviews so that detainees can express themselves fully, and understand their rights and any important decisions.
- Children are detained only in exceptional circumstances and for the shortest possible time. The individual welfare needs of children are taken into account when deciding whether to detain and throughout the detention process.

#### References

BOP 1, 13,  
14;  
CRC 3, 37(b)

# Respect

## Accommodation

Families live in a safe, clean and decent environment that is suitable for their needs.

## Expectations

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### 16. Families stay in a clean and decent environment which is in a good state of repair and fit for purpose.

#### Indicators

- The accommodation and all communal areas are light, well decorated, child-friendly and in a good state of repair.
- The accommodation is suitably heated and ventilated.
- Accommodation is fully equipped and properly designed to cater for the residential and domestic needs of families, including those with babies.
- Families have access to well maintained sanitation, washing facilities and drinking water at all times.
- Sanitary protection is freely available for women and there are nappy changing facilities for babies.

#### References

BOP 1, 5(2);  
ICCPR 10(1)

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### 17. Families feel and are safe in their residential units, both in their rooms and communal areas.

#### Indicators

- Family members are located together in shared accommodation even in cases where individual family members are over 18.
- All detainees can easily and quickly gain staff attention in an emergency.
- Detainees have keys to their rooms.
- Detainees are aware of expected standards of behaviour.
- Families are able to reside in an environment where security is proportionate.

#### References

UDHR 3

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**18. Families' property held in storage is secure and they can promptly access their property on request.****Indicators**

- Families are allowed to store valuable and other property in a secure area.
- The amount of property in possession and storage that is allowed takes account of individual needs.
- Detainees are fairly compensated for clothing and possessions lost while in storage.

**References**

ECHR  
Protocol 1(1)

## Positive relationships

Families are treated with respect by all staff, with proper regard for the uncertainty of their situation and their cultural backgrounds.

## Expectations

- 19. Families are treated with humanity and respect for their human dignity at all times. Relationships between detainees and staff are positive and courteous.**

Indicators	References
<ul style="list-style-type: none"><li>• Staff are fair and courteous to detainees.</li><li>• Staff set a personal example in the way they carry out their duties.</li><li>• Staff introduce themselves to new families and wear identification that clearly displays their name and status. Information about detainees' needs is communicated sensitively between staff.</li><li>• Staff engage positively with detainees at all times.</li><li>• Staff interact appropriately with children with full regard to the wishes of their parents.</li></ul>	BOP 1; CCLEO 2; CRC 3, 37(c); ICCPR 10(1)

## Equality and diversity

There is understanding of the diverse backgrounds of families and of different cultural backgrounds. The distinct needs of each protected characteristic,<sup>9</sup> including race equality, nationality, religion, disability, gender, transgender, sexual orientation, age and pregnancy, are recognised and addressed.

## Expectations

- 20. Staff promote a respectful and safe environment, in which each of the distinct protected characteristics of detainees is recognised and addressed with respect and dignity.**

Indicators	References
<ul style="list-style-type: none"> <li>• All protected characteristics are recognised and addressed, irrespective of the number of detainees in the population of that group.</li> <li>• Detainees and visitors with specific needs, such as pregnant women, older and disabled people, are treated with due regard for their individual needs.</li> <li>• Staff are trained in equality and diversity issues and are aware of the backgrounds of families and their duties under the Equality Act 2010.</li> <li>• Detainees are able to make a formal complaint about any incidence of discrimination and are helped to do so.</li> <li>• Managers and staff promote an understanding of and demonstrate respect for all ethnic, national, cultural and other diverse groups. Inappropriate language or conduct by staff, visitors or detainees is challenged.</li> <li>• Equality assessments of all locally implemented policies are undertaken.</li> <li>• Professional interpreting is used with detainees who are not fluent in English.</li> </ul>	<p>BOP 1, 5(2), 33; CEDAW 2; CERD 7; CRPD 4, 5; DRM 4; UDHR 3</p>

<sup>9</sup> The grounds upon which discrimination is unlawful (Equality and Human Rights Commission 2010).

## Faith and religious activity

Families are able to practise their religion fully and in safety.

### Expectations

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**21. Families are able to practise their religion fully and in safety. Different religious faiths are recognised and respected.**

#### Indicators

- Families are able to practise their religion and common religious items are available.
- Families have access to religious leaders and an appropriate multi-faith room.
- Searches of detainees, visitors and their property are conducted in a religiously and culturally sensitive manner.

#### References

BOP 5(2);  
DRM 4;  
ECHR 9

## Complaints

Effective complaints procedures are in place for families.

## Expectations

### 22. Families have confidence in complaints procedures, which are effective, timely and well understood.

#### Indicators

- There is a published complaints procedure.
- Detainees can make a formal complaint confidentially at any time and are able to complain to the UK Border Agency and/or Independent Monitoring Board.
- There are appropriate arrangements for children to make complaints.
- Complaint forms are freely available in languages that detainees can understand.
- Formal complaints are dealt with fairly and promptly with either a resolution or a comprehensive explanation of future action. Complaints are monitored.
- Responses are communicated in the language in which complaints were submitted.
- Concerted efforts are made to communicate responses to families who have left the centre.

#### References

BOP 13, 14,  
33

## Health services

Health services assess and meet families' health needs while in detention and promote continuity of health and social care on release. Health services recognise the specific needs of detainees as displaced persons who may have experienced trauma. The standard of health service provided is equivalent to that which people could expect to receive elsewhere in the community.

## Expectations

### 23. Health services assess and meet the specific health needs of parents and children in detention and promote continuity of health and social care on release.

Indicators	References
<ul style="list-style-type: none"> <li>Families have prompt access to appropriate primary physical and mental health services. Secondary health care is immediately accessed when necessary.</li> <li>Health services are based on a health needs assessment.</li> <li>Clinical governance arrangements are in place, which include the management and accountability of staff.</li> <li>Health care staff have sufficient knowledge and qualifications to care for children.</li> <li>Staff are trained to recognise, treat and report any signs of trauma and torture or other health issues that may affect fitness to detain.</li> <li>Families are promptly screened by health services staff on arrival. When required, they can access a doctor within 24 hours.</li> <li>Detainees continue to have access to their prescribed medication unless this is discontinued on medical advice.</li> <li>Detainees with mental health problems are transferred to specialist secondary and tertiary care if clinically indicated.</li> <li>Substance use needs should be identified, assessed and treated appropriately.</li> </ul>	<p>CRC 3(3), 24; ICESCR 12, PME 1</p>

## Catering

Families are offered varied meals to meet their individual requirements.

## Expectations

### 24. Adults and children have a varied, healthy and balanced diet which meets their individual needs, including religious, cultural or other special dietary requirements.

Indicators	References
<ul style="list-style-type: none"> <li>• There is at least one substantial cooked meal each day.</li> <li>• Food is healthy, varied, balanced and suitable for the diverse needs of families, including children and young people.</li> <li>• Detainees are able to understand what is on the menu.</li> <li>• Baby food and powdered milk is available to mothers with young babies.</li> <li>• Snacks and hot and cold drinks are freely available.</li> <li>• Appropriate extra food supplies are available for families arriving or being discharged late or for pregnant women.</li> <li>• Detainees are able to register any food complaints in their own language and these complaints are regularly checked by a manager.</li> <li>• All areas where food is stored, prepared and served are properly equipped and well managed.</li> <li>• Families are able to dine together.</li> </ul>	BOP 1; DRM 4; ECHR 9

# Activities

The centre encourages activities to preserve and promote the mental and physical wellbeing of detainees.

## Expectations

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### 25. Families have regular access to activities and facilities that meet their needs.

Indicators	References
<ul style="list-style-type: none"><li>Families are able to move freely around the centre.</li><li>Activities and facilities provide physical and mental stimulation for children and adults.</li><li>Detainees have access to books and newspapers in a range of languages, as well as TV and DVDs.</li><li>Suitable activities are provided for children of all ages, including exercise, play opportunities, access to the fresh air and education, where appropriate and practicable.</li><li>Fitness provision is safe and meets the needs of all detainees.</li></ul>	BOP 1, 28; CRC 28, 31

# Preparation for removal and release

Families are able to maintain contact with the outside world and be prepared for their release, transfer or removal. Families are able to retain or recover their property. Families with children and others with specific needs are not detained without items essential to their welfare.

## Expectations

### 26. Families can maintain contact with the outside world by receiving visits and easy access to a full range of communications media.

#### Indicators

- There is sufficient access to telephones at all times.
- Detainees can make international telephone calls.
- Detainees are able to send and receive faxes.
- Detainees are able to use email and have controlled internet access for communication and information purposes.
- Families can receive daily visits. Visitors are treated with respect and are subject to minimum security checks. Visitors are able to deliver property.

#### References

BOP 19

### 27. Families' welfare needs are met. They are helped with practical problems caused by detention and with preparation for release, transfer or removal.

#### Indicators

- Detainees' welfare needs and concerns while in detention are systematically addressed.
- Immigration staff work with other staff in the centre to ensure that families are prepared for their removal and are given adequate time and facilities to consult their legal representatives.
- Detainees are able to inform legal advisers and their families free of charge about when they are to be released, transferred or removed from the centre.
- Families being removed should be given information about sources of support in the destination country.

#### References

BOP 1, 13, 14, 17-19

**28. Families who are to be removed or released are treated sensitively and humanely. Families are able to retain or recover their property.**

**Indicators**

- Removal or discharge is managed sensitively and humanely. Detainees who are considered vulnerable or at risk of self-harm or violent behaviour have an individual risk assessment and care plan where appropriate.
- Systems are in place to allow property to be restored and families are helped to close their affairs in the UK if necessary.
- Families being removed have basic clothing, suitable to the climate to which they are going, and a suitable bag to carry their property.
- Allegations of assault on detainees during removal attempts, which are supported by medical evidence, are thoroughly investigated and removals are delayed for this purpose.
- Families are provided with the means to reach a safe final destination.

**References**

BOP 1;  
CAT 12, 16;  
CRC 37(c);  
ECHR  
Protocol 1(1);  
ICESCR 12;  
ICCPR 10(1)



HM Inspectorate of Prisons  
**EXPECTATIONS**

Annex: **list of abbreviations**

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# Annex: List of abbreviations

## International human rights instruments

### Legally binding

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CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CERD	International Convention on the Elimination of All Forms of Racial Discrimination
CRC	Convention on the Rights of the Child
CRPD	Convention on the Rights of Persons with Disabilities
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights

### Normative

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BOP	Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment
BPRL	Basic Principles on the Role of Lawyers
BPUF	Basic Principles on the Use of Force and Firearms by Law Enforcement Officials
CCLEO	Code of Conduct for Law Enforcement Officials
DEDRB	Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief
DHRIN	Declaration on the Human Rights of Individuals Who are not Nationals of the Country in which They Live
DRM	Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities
PME	Principles of Medical Ethics relevant to the Role of Health Personnel, particularly Physicians, in the Protection of Prisoners and Detainees against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
UDHR	Universal Declaration of Human Rights

## Regional human rights instruments

### Legally binding

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ECHR	European Convention for the Protection of Human Rights and Fundamental Freedoms
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### Case law

Saadi v the United Kingdom	Application no. 13229/03, Grand Chamber Judgment of 29 January 2008 (breach of Article 5(2), delay in providing reasons for detention)
Mubilanzila Mayeka and Kaniki Mitunga v Belgium	Application no. 13178/03, Chamber Judgment of 12 October 2006 (breach of Article 3, child held in same conditions as adults and violation of positive obligations to take requisite measures to ensure a child being deported would be looked after when reaching country to which she was being deported)