



**Immigration and Border Policy Directorate
Criminality and Enforcement Policy**

Title	Detention Services Order 08/2012 Mobile Phones and Cameras in Centres		
Process	To set out Home Office policy on mobile phones and cameras in immigration removal centres, residential short-term holding facilities, the pre-departure accommodation and during escort.		
Implementation Date:	December 2014	Review Date:	December 2016

CONTAINS MANDATORY INSTRUCTIONS	
<p>For Action Home Office staff and service providers operating in immigration removal centres, pre-departure accommodation and short-term holding facilities</p>	<p>Author and Unit Detention policy team, immigration and border policy directorate</p>
<p>For Information N/A</p>	<p>Owner Assistant director, detention policy team, immigration and border policy directorate</p>
<p>Contact Point Detention policy</p>	
<p>Processes Affected Possession of mobile phones and cameras</p>	
<p>Assumptions All staff will have the necessary knowledge to follow these procedures.</p>	

NOTES
This DSO replaces DSO 8/2012 version 1.0, which is cancelled.

Issued December 2014

Version 2.0



Detention Services Order 08/2012

Mobile phones and cameras in immigration detention

Introduction

1. This order sets out Home Office policy on the possession of mobile phones (and cameras) by detainees, staff, visitors, legal advisers and visiting medical practitioners in immigration removal centres, short-term holding facilities and pre-departure accommodation.
2. For the purposes of this DSO, 'centre' refers to immigration removal centres, residential short-term holding facilities and pre-departure accommodation.
3. For the purposes of this DSO, 'centre manager(s)' refers to the contracted/NOMS immigration removal centre/short-term holding facility manager (i.e. it does not refer to the on-site Immigration Enforcement manager).
4. For the purposes of this DSO, 'service provider' includes all suppliers operating in centres, as defined above, and escort providers.

Possession of mobile phones and cameras

5. Below is a simple summary of who may have a mobile phone (and camera) in a centre, and the type of phone they may have:

Group	Are allowed...
Detainees	<ul style="list-style-type: none">- access to a mobile phone without recording/internet facilities (subject to restrictions explained later in this instruction);- no access to a camera.
HM Inspectorate of Prisons' staff	<ul style="list-style-type: none">- access to a mobile phone with recording/internet facilities in areas not frequented by detainees and access to a mobile phone without recording/internet facilities in areas frequented by detainees;- to take a camera into the establishment.
Legal advisers	<ul style="list-style-type: none">- access to a mobile phone (or camera) with recording/internet facilities in designated visits areas.
Official visitors	<ul style="list-style-type: none">- access to a mobile phone (or camera) with

Group	Are allowed...
	<ul style="list-style-type: none"> - recording/internet facilities in areas not frequented by detainees; - access to a mobile phone without recording/internet facilities in areas frequented by detainees; - with the permission of the centre manager, access to a mobile phone (or camera) with recording facilities in areas frequented by detainees.
Social visitors	<ul style="list-style-type: none"> - no access to a mobile phone (or camera) of any sort within any part of the centre.
Service provider staff (including IMB members)	<ul style="list-style-type: none"> - no access to a mobile phone (or camera) of any sort within any part of the centre without authorisation by the centre manager.
Home Office staff	<ul style="list-style-type: none"> - access to a mobile phone with recording/internet facilities in areas not frequented by detainees; - access to a mobile phone without recording/internet facilities in areas frequented by detainees.
Visiting medical practitioners	<ul style="list-style-type: none"> - access to a mobile phone which takes photos but without internet access in areas frequented by detainees; - access to a mobile phone which does not take photos and without recording/internet facilities in areas frequented by detainees; - access to a camera if that is their preference for taking photos.

Detainees under escort

6. Whilst under escort for the purposes of removal, detainees are allowed to have a mobile phone in their possession if it is without:
- recording facilities, i.e. the ability to take photographs, video, live-streaming or audio recording; and
 - facilities to connect to the internet.

Detainees must be allowed to keep their personal mobile phone if it complies with these restrictions.

7. However, following a risk assessment, provision of a mobile phone may be denied in the following circumstances:
- a. Current disruptive or threatening behaviour provides evidence that the detainee may misuse the mobile phone; and/or
 - b. There are specific risks to the public confirmed by a public protection arrangement such as multi-agency public protection arrangement (MAPPA); and/or

- c. There are reasonable grounds to believe that the detainee may use the mobile phone to cause harm to be done to him or herself or another person.
8. If the detainee's phone is not compatible, or it has been removed following a risk assessment, escort staff must ensure that this does not prevent the detainee's access to justice by enabling access to suitable alternative methods to speak to their legal representatives or to contact a court. Detainees' mobile phones must be stored securely for the time they are not permitted to retain them, and detainees should be allowed to access stored phone numbers on request. Escort staff must explain to detainees how to contact legal representatives/a court by phone during escort.
9. Detainees who are being escorted for the purposes of transfer: a) between establishments; b) to bail or court hearings; c) to an embassy/high commission; or d) to outside medical appointments, are not allowed to have a mobile phone in their possession due to the risk to officer/public safety and detainee security.
10. Escort staff must ensure that this does not prevent such detainees' access to justice by enabling access to suitable alternative methods to speak to their legal representatives or to contact a court. Detainees' mobile phones must be stored securely for the time they are not permitted to retain them, and detainees should be allowed to access stored phone numbers if required. Escort staff must explain to detainees how to contact legal representatives/a court by phone during escort. Detainees should be allowed to contact legal representatives/a court on request providing it is safe and secure to do so. In the very rare circumstances where a detainee is denied access for safety or security reasons, a written record of the request and the reasons for refusal should be kept.
11. If a detainee is deaf or has hearing difficulties which mean that he/she cannot use a phone, members of staff must ensure that this does not prevent the detainee's access to justice by enabling access to suitable alternative methods to communicate with their legal representatives or to contact a court.

Detainees in a centre

12. Whilst held in a centre, detainees are allowed to have a mobile phone in their possession if it is without:
 - recording facilities, i.e. the ability to take photographs, video, live-streaming or audio recording; and
 - facilities to connect to the internet.
13. Following a risk assessment, provision of a mobile phone in the following circumstances may be denied:

- a. Current disruptive or threatening behaviour provides evidence that the detainee may misuse the mobile phone; and/or
 - b. There are specific risks to the public confirmed by a public protection arrangement such as MAPPA; and/or
 - c. There are reasonable grounds to believe that the detainee may use the mobile phone to cause harm to be done to him or herself or another person.
14. Where a detainee is not allowed a mobile phone in accordance with the above, members of staff must ensure that this does not prevent the detainee's access to justice by enabling access to suitable alternative methods to speak to their legal representatives or to contact a court. Their mobile phone must be stored securely for the time they are not permitted to retain one.
15. Detainees must be allowed to keep their personal mobile phone if it complies with the restrictions at paragraph 12. Personal mobile phones which do not comply must be stored securely so long as the individual remains a detained person. If a detainee's personal mobile phone does not comply with the restrictions, or if the detainee does not own a mobile phone, the centre must provide the detainee with a mobile phone handset which is compatible with this DSO.
16. If a detainee's personal mobile phone does not comply with the restrictions at paragraph 12, the detainee must be given assistance with transferring stored phone numbers to the mobile phone provided by the centre or to make a note of the numbers. Where the technology allows, detainees should be allowed to keep their own phone number. Detainees should also be given the opportunity to divert their personal mobile phone to the new handset provided by the centre and to leave a voicemail message informing callers of their temporary number.
17. Mobile phones must be provided free of charge to the detainee. However, if the detainee repeatedly (i.e. on more than one occasion) damages or loses the mobile phone, the centre manager may decide to issue a new mobile phone only upon receipt of payment from the detainee.
18. The centre is not required to provide a SIM card to the detainee. The centre is required to provide each detainee with five minutes worth of calls upon first reception.
19. Detainees should be able to retain their own SIM card if it is compatible with their new centre-issued mobile phone. If they do not have a SIM card, or their SIM card is not compatible, detainees must be able to choose their mobile phone provider. To enable this, a variety of SIM cards and pre-pay/top-up cards should be sold in the centre shop. It is the detainee's decision which mobile phone operator they choose. Detainees should be made aware of any signal coverage issues which might affect their choice.

20. Centre managers are responsible for ensuring a record is kept of all mobile phones in the possession of detainees, including:

- the name of the detainee;
- SIM card number;
- IMEI number; and
- the handset's phone number, if any.

This record must be kept for all mobile phones and SIM cards in the possession of detainees whether received at reception, through the post, following a visit or purchased from the shop.

21. Establishments should report to the Intelligence Team, using the Security Incident Report (SIR) form, any detainee with more than three SIM cards and/or mobile phones in their possession.

22. If a detainee is deaf or has hearing difficulties which mean that he/she cannot use a phone, members of staff must ensure that this does not prevent the detainee's access to justice by enabling access to suitable alternative methods to communicate with their legal representatives or to contact a court.

Legal advisers

23. Detention Centre Rule 2 defines 'legal advisers' in relation to a detained person as his/her "counsel, representative or solicitor, and includes a clerk acting on behalf of his/her solicitor".

24. Legal advisers may retain their mobile phone when visiting a detainee in a designated visits area.

25. All mobile phones held by legal advisers must be declared at the entrance to the centre and are liable for inspection both on arrival and on departure.

Official visitors

26. Official visitors are those persons whose visits are being hosted by the centre manager or by a Home Office Immigration Enforcement member of staff.

27. Official visitors may retain their personal mobile phone during the course of their visit when they are in areas not frequented by detainees.

28. Personal mobile phones with recording and internet facilities may not be brought into areas frequented by detainees, unless the visitor has the permission of the centre manager to do so.

29. All mobile phones held by official visitors must be declared at the entrance to the centre and are liable for inspection both on arrival and on departure.

Social visitors

30. Social visitors are not permitted to bring a mobile phone into any centre under any circumstances. Visitors may deposit phones in lockers outside the centre (where provided) for the duration of their visit, but this is at their own risk.
31. A social visitor may hold a pager but it is liable for inspection in accordance with the centre's normal searching policy.

Service provider staff

32. Service provider staff's access to a mobile phone is at the discretion of the centre manager. Service provider staff should have no access to a mobile phone, of any sort, within any part of the centre without authorisation by the centre manager.
33. All mobile phones held by service provider staff should be declared at the entrance to the centre, and are liable for inspection both on arrival and on departure.
34. Service provider staff must follow their organisation's security guidance.

Home Office staff

35. Home Office staff may have access to a mobile phone with recording/internet facilities in areas not frequented by detainees and access to a mobile phone without recording/internet facilities in areas frequented by detainees.
36. Home Office staff should declare all mobile phones in their possession on entrance to the centre, if requested. Phones are liable for inspection both on arrival and departure.

Independent Monitoring Board members

37. Independent Monitoring Board (IMB) members should be treated as service provider staff for the purpose of this instruction.

HM Inspectorate of Prisons (HMIP) inspectors

38. HMIP inspectors may take a camera into the centre. Gate staff must log and account for the camera when the inspector leaves the centre. All photos will be provided to Home Office Immigration Enforcement as part of the factual accuracy check of the draft inspection report. Therefore, gate staff should not ask to inspect the photos taken on the camera before it leaves the centre.

Visiting medical practitioners

39. A visiting medical practitioner is a medically qualified doctor or dentist who is registered with the General Medical Council or General Dental Council and who is appointed by the detainee or his/her legal representative to attend to them in accordance with Detention Centre Rules 33(7) or 33(11).
40. Visiting medical practitioners may hold a mobile phone with a facility to take photographs where it is required for collecting medical evidence. However, phones with an ability to connect to the internet, to provide streaming or audio recording will not be permitted. Visiting medical practitioners may therefore prefer to bring a camera into the centre for the collection of medical evidence.
41. The medical practitioner should be informed that the mobile phone or camera may be used solely for the purpose of taking photographic medical evidence in relation to the detainee being visited.
42. The medical practitioner should be instructed to keep the phone or camera with him/her at all times whilst in the centre and not to leave it unattended at any time.
43. Mobile phones and cameras held by visiting medical practitioners must be declared at the entrance to the centre. A member of the healthcare team at the centre - rather than gate staff - should inspect the photos taken on the phone or camera before it leaves the centre. Gate staff must log and account for the phone or camera when the medical practitioner leaves the centre.

Revision History

Review date	Reviewed by	Review outcome	Next review
12/2014	Detention Policy	Outdated terms replaced.	12/2016