



Home Office

Review into the welfare in detention of vulnerable persons: Terms of reference

Terms of Reference for a review into the welfare in detention of vulnerable persons

The Home Office detains migrants, including foreign national offenders, to prevent their unauthorised entry to the UK and prior to removing them from the UK. In Detained Fast Track, asylum applicants may be detained pending a quick initial decision, and where policy permits, through to final appeal and, if unsuccessful, for removal. Detention is necessary in the interests of immigration control and the principle is not in question. However, it is vital that persons in detention are safeguarded, especially those who may be particularly vulnerable.

The Home Office wishes to review the appropriateness of its policies and practices concerning the welfare of those who have been placed in detention, whether in an immigration removal centre or a short-term holding facility¹, and those being escorted in the UK.

The review will consider the appropriateness of current policies and systems designed to:

- (a) identify vulnerability and appropriate action;
- (b) provide welfare support;
- (c) prevent self-harm and self-inflicted death;
- (d) manage food and fluid refusal safely without rewarding non-compliance;
- (e) assess risk effectively;
- (f) transmit accurate information about detainees from arrest to removal;
- (g) safeguard adults and children;
- (h) manage the mental and physical health of detainees;
- (i) other matters the review considers appropriate

The review may also comment on how policies are being applied as well as their appropriateness. But the review shall focus on policies applying to those in detention, not the decision to detain.

The review may make specific recommendations for change. These shall take into consideration the need to maintain a strong immigration control and also to make exceptions where issues of public protection are involved, balanced with the welfare aspects. It should decide which detainees are to be considered vulnerable. These may include but need not be limited to pregnant women, victims of trafficking and those with mental health or disability issues.

The review should aim to report within 6 months of its agreed start date. Ministers will publish the report by laying it before Parliament as soon as reasonably practicable, with a response to the recommendations.

Areas of external expertise

This should include consultation with additional experts and interested parties, including other Government departments, HM Chief Inspector of Prisons, Prisons and Probation Ombudsman and the President of the Independent Monitoring Board.

¹ This will exclude Border Force custody suites but would include port holding rooms for immigration detainees.