



Home Office

Short-term Holding Facility Rules 2018 as amended by the Short-term Holding Facility (Amendment) Rules 2022

Version 2.0

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About this guidance

The [Short-term Holding Facility Rules 2018](#) (the STHF Rules) place the day-to-day operation of residential STHFs and non-residential STHFs (holding rooms) on a statutory footing.

They were amended by the Short-term Holding Facility (Amendment) Rules 2022, which created a third type of STHF known as a residential holding room.

In addition to STHFs in the UK, the STHF Rules 2018 also apply directly to holding rooms at the juxtaposed controls at Coquelles, Calais and Dunkirk in northern France.

The STHF Rules 2018 or STHF (Amendment) Rules 2022 do not apply to the juxtaposed controls at the Eurostar rail terminals at Paris, Lille, Fretun or Brussels. This is because individuals are detained in public waiting areas at those stations, rather than holding rooms, for short periods of time pending being handed to Border Force's French or Belgian counterparts.

The STHF Rules 2018 or STHF (Amendment) Rules 2022 do not apply to individuals held at the 'controlled waiting areas' of the Primary Control Point (PCP) at the border because, at this stage, the individual is not being detained in a dedicated holding room.

This guidance explains the provisions within the STHF Rules, including links to the specific Detention Services Orders (DSOs) which are referred to in the text.

Contacts

If you have any questions about the guidance and your line manager or senior caseworker cannot help you or you think that the guidance has factual errors then email Detention Policy team.

If you notice any formatting errors in this guidance (broken links, spelling mistakes and so on) or have any comments about the layout or navigability of the guidance then you can email the Guidance Rules and Forms team.

Publication

Below is information on when this version of the guidance was published:

- version **2.0**
- published for Home Office staff on **14 April 2023**

Changes from last version of this guidance

Changes from the last version of this guidance:

- amendments have been made throughout the guidance to include reference to the modifications for residential holding rooms; full detail of these changes are set out in the guidance for [Rule 6A](#)
- addition of [guidance on the application of the Rule 32 process as it applies in residential holding rooms](#)
- addition of [Rule 32 \(RHR\) report form](#) and [Email header template](#)

Related content

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Part 1 of the Short-term Holding Facility (STHF) Rules 2018 as amended by the Short-term Holding Facility (Amendment) Rules 2022

Rule 1 - Citation and commencement

This rule is self-explanatory.

Rule 2 - Interpretation

Rule 2 sets out definitions of certain terms used in the STHF Rules. Amongst the most significant of these definitions are the following:

‘Manager’ in relation to a ‘contracted-out’ STHF (in other words, residential STHFs and holding rooms operated by contractor staff) is defined as a member of the contractor staff who has been designated to undertake the tasks of a manager under the STHF Rules and is also certified as a detainee custody officer (DCO). In practice, it would be the most senior member of contractor staff on duty at any time. In relation to a ‘directly managed’ STHF (in other words, port holding rooms staffed by Border Force officers) it is defined as a member of their staff designated as being responsible for the tasks which fall to the manager under the STHF Rules.

‘Holding room’ is defined as being an STHF where a detained person may be detained for a period of not more than 24 hours, unless a longer period of detention is authorised by the Secretary of State (in practice a Home Office official).

‘Health care professional’ is defined as being a registered medical practitioner (a doctor) or a registered nurse.

The definition of the term ‘port’ covers both airports and seaports.

The definition of ‘residential holding room’ as set out in rule 2(2) of the Short-term Holding Facility (Amendment) Rules 2022 means a STHF where a detained person may be detained for a period of not more than 96 hours unless a longer period is authorised by the Secretary of State (in practice a Home Office official).

Related content

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Part 2 of the Short-term Holding Facility (STHF) Rules 2018 as amended by the Short-term Holding Facility (Amendment) Rules 2022

Rule 3 - Application of these rules

This sets out the scope of the STHF Rules and is self-explanatory.

Rule 4 - Places of detention

This makes clear that the STHF Rules do not apply to certain other types of places of detention where individuals may be detained under Immigration Act powers:

- police stations
- hospitals
- young offender institutions
- prisons and remand centres
- any premises where appeals are heard under Part 5 of the Nationality, Immigration and Asylum Act 2002 or Special Immigration Appeals Commission Act 1997

The STHF Rules 2018 or STHF (Amendment) Rules 2022 do not apply to immigration removal centres (IRCs) or pre-departure accommodation (PDA).

Rule 5 - Directly managed short-term holding facilities

This highlights that the STHF Rules apply to directly managed STHFs (with the exception of rule 41 - staff employed by the contractor), subject to a number of modifications set out in subparagraphs (2) to (6) of this rule.

Rule 6 - Holding rooms

This rule limits the length of time a person can be detained in a holding room to a normal maximum of not more than 24 hours, though in exceptional circumstances this can be extended if the extension is authorised by the Secretary of State (in practice, a Home Office official acting on behalf of the Secretary of State).

Detained persons are generally held in port holding rooms for far less than 24 hours, often for only a matter of a few hours.

Detained persons are not held in reporting centre holding rooms for 24 hours or more as the facilities are not open 24 hours a day.

Holding rooms - extensions

Authority to extend a person's detention in a holding room must be obtained before the 24-hour point is reached from an officer of at least Senior Officer or Senior Executive Officer level. It is the responsibility of Border Force staff or (in the case of the Kent Intake Unit) UK Visas and Immigration staff to seek, and obtain, the necessary authority to extend an individual's period of detention in a holding room beyond the normal maximum of 24 hours.

In all cases authority to extend an individual's detention in a holding room should, wherever practicable, be sought and obtained in person. Where this is not practicable (for example, because there is not an officer of the required level present at the port) the authorisation may be sought and obtained over the telephone or email.

Recording decisions

The request for authority and the grant, or refusal, of authorisation must be recorded on Atlas or the Case Information Database (CID) and the port file. This must include all the following:

- the time the person was initially detained
- the time of the authorisation request and the time of the authorisation (or refusal) decision
- the reason for extending (or refusing to extend) the period of detention

Where an extension of stay in a holding room is authorised the record must also include both:

- the name of the person who has authorised the extension with their grade
- the period of time for which the extension was authorised

Where authority to extend an individual's stay in a holding room is given it is important that authority must be given for a specific period of time. It must not be open-ended. It should be for no longer than is considered reasonably necessary to deal with the particular exceptional circumstances which gave rise to the need to extend the stay in the holding room in the first place. This initial authority must not exceed 12 hours.

If the exceptional circumstances are such that it appears likely to be necessary to detain someone in a holding room at the border for over 36 hours the authorisation for their continued detention in a holding room should be given by an officer of at least Assistant Director or grade 7 level. Such authority must be obtained before the 36 hour point is reached. This authority should, wherever practicable, be sought and obtained in person. Where this is not practicable (for example, because there is no officer of Assistant Director or grade 7 level present) the authorisation may be sought, and obtained, over the telephone. Agreement (or refusal) of authorisation to extend detention beyond 36 hours should be recorded in the same manner as set out above.

Authority should not be given to extend an individual's detention if the effect of this would be to authorise their detention in the holding room for more than 5 days.

In line with existing Border Force guidance, authority to initially detain children under the age of 18 at the border whether accompanied or part of a family group, should be given at no lower than senior officer level. Such cases should be prioritised above other case types. A Border Force Regional Director or grade 5 authorisation must be obtained where any child whether unaccompanied or as part of a family group, is to be detained in excess of 24 hours. In this context, please note that an unaccompanied child being detained for removal must be in accordance with the limits set out in paragraph 18B of Schedule 2 to the Immigration Act 1971.

Neither the STHF Rules, nor this guidance, define what constitutes 'exceptional circumstances' in this context. This is deliberate, as it would be impossible to capture in one definition all the circumstances in which it may prove necessary to extend someone's stay in a holding room beyond the normal maximum of 24 hours. However, it is likely to include, but is not limited to, the timing of their return flight, unexpected delays to their return flight, removal directions being set for a point shortly after the 24-hour stage, a very high number of arrivals in a short period, escort availability or escort delays (in the case of individuals awaiting transfer to an immigration removal centre).

Rule dis-applications and modifications

Rule 6 lists those other STHF Rules, or subparagraphs of STHF Rules, that do not apply to holding rooms, or where modified arrangements apply, because it would not be possible or practicable for the STHF Rules in question to be met, or to be met fully, given the limited nature of the accommodation that holding rooms provide and the facilities available in them.

The STHF Rules that do not apply to holding rooms are:

- accommodation (rule 13)
- sleeping accommodation (rule 14)
- clothing (rule 16)
- correspondence (rule 24)
- visits (rule 25)
- access to the internet (rule 29)
- medical screening (rule 30)
- special illnesses and conditions (rule 32)
- removal from association (rule 35)
- temporary confinement (rule 37)
- visitors (rule 48)

As a result, these provisions of the STHF Rules do not apply to holding rooms, or to the persons detained in such facilities.

Sub-paragraphs (1) and (2) of rule 15 (families and minors) covering a detained family's right to family life and the provision of sleeping accommodation for detained families have been dis-applied to holding rooms, as have sub-paragraphs (1)(b) and

(c) of rule 18 (hygiene) covering the provision of facilities for persons to bathe or shower and shave.

The STHF Rules that are modified or substituted for holding rooms are:

- rule 20 (time in open air)
- rule 23 (outside contacts)
- rule 27 (legal adviser)
- rule 31 (general medical care)

The substitution for rule 20 (time in open air) provides that time in the open air may be refused to individuals in holding rooms either in exceptional circumstances in the interests of security and/or safety, or where the location or design of the holding room means that it is not practicable to permit individuals to spend time in the open air, for example where the holding room is located in an airport terminal building which does not have direct access to outside space.

The substitution for rule 23 (outside contacts) provides for individuals in holding rooms to communicate by telephone with individuals outside the holding room in which they are detained, except where this would be contrary to the interests of security or safety.

Rule 27 (legal adviser) has been modified so that legal advisers may not visit individuals detained in port holding rooms that are in an area of a port that cannot be accessed by members of the general public.

The substitution for rule 31 (general medical care) provides that individuals in holding rooms must have prompt access to a health care professional, including arrangements for transfer to hospital, if necessary, if they become ill or sustain an injury. In holding rooms where there are no on-site healthcare staff, or access to other healthcare professionals, this requirement is likely to have to be met by calling for an ambulance to attend to the person or, if appropriate, take them to hospital.

Rule 6A – Residential holding rooms

This rule was inserted by the Short-term Holding Facility (Amendment) Rules 2022 and limits the length of time a person can be detained in a residential holding room to not more than 96 hours, though in exceptional circumstances this can be extended if the extension is authorised by the Secretary of State (in practice, a Home Office official acting on behalf of the Secretary of State).

Any period for which an individual has been detained in a holding room, immediately prior to moving to a residential holding room, must be taken into account for the purposes of applying the 96-hour limit for residential holding rooms. If during this time any of the reasons for detention given on the form IS91R change, it will be necessary to prepare and serve a new version of the form.

Prior to a decision to transfer individuals from a holding room to a residential holding room, families with children, unaccompanied children and those identified as vulnerable should be prioritised for processing whenever possible, in order to reduce

the likelihood of these individuals being transferred to a residential holding room, or alternatively to ensure that they are detained in the residential holding room for as short a period as possible.

Residential holding rooms - extensions

Authority to extend an individual's stay in a residential holding room must be obtained before the 96-hour point is reached from an officer of at least Assistant Director or Grade 7 level. It is the responsibility of the case-owning staff to seek, and obtain, the necessary authority to extend an individual's period of stay in a residential holding room beyond 96-hours.

In all cases authority to extend an individual's stay in a residential holding room should, wherever practicable, be sought and obtained in person. Where this is not practicable (for example, because there is not an officer of the required level present) the authorisation may be sought and obtained over the telephone or email.

Recording decisions

The request for authority and the grant, or refusal, of authorisation must be recorded on Atlas or the Case Information Database (CID) and the port file. This must include all of the following:

- the time the person was initially detained
- the time of the authorisation request and the time of the authorisation (or refusal) decision
- the reason for extending (or refusing to extend) the period of detention

Where an extension of detention in a residential holding room is authorised, the record must also include both:

- the name of the person who has authorised the extension with their grade
- the period of time for which the extension was authorised

Where authority to extend an individual's period of detention in a residential holding room is given it is important that authority must be given for a specific period of time. It must not be open-ended. It should be for no longer than is considered reasonably necessary to deal with the particular exceptional circumstances which gave rise to the need for an extension in the first place. This initial authority must not exceed 12 hours.

Any extensions beyond 12 hours must be authorised by an officer of at least Grade 6 level, before the additional 12-hour point is reached. This authority should, wherever practicable, be sought and obtained in person. Where this is not practicable (for example, because there is no officer of Grade 6 level present) the authorisation may be sought, and obtained, over the telephone. Agreement (or refusal) of authorisation to extend detention beyond an additional 12-hours should be recorded in the same manner as set out above.

Authority should not be given to extend an individual's detention if the effect of this would be to authorise their detention in the residential holding room for more than 5 days (or 7 days, if the circumstances set out at paragraph 4(2) of the Immigration (Places of Detention) Direction 2021 are met).

Neither the STHF Rules, nor this guidance, define what constitutes 'exceptional circumstances' in this context. This is deliberate, as it would be impossible to capture in one definition all the circumstances in which it may prove necessary to extend someone's stay in a residential holding room beyond 96 hours. However, it is likely to include, but is not limited to, removal directions being set for a point shortly after the 96-hour stage, escort availability or escort delays (in the case of persons awaiting transfer to an immigration removal centre), a very high number of arrivals in a short period or making arrangements to secure safe onward accommodation.

Rule 6A dis-applications and modifications

Rule 6A lists those other STHF Rules, or subparagraphs of STHF Rules, that do not apply to residential holding rooms, or where modified arrangements apply, because it would not be possible or practicable for the STHF Rules in question to be met, or to be met fully, given the nature of the type of detention facility.

The STHF Rules that do not apply to residential holding rooms are:

- Rule 24 (correspondence)
- Rule 29 (access to the internet)
- Rule 35 (removal from association)
- Rule 37 (temporary confinement)
- Rule 48 (visitors)

As a result, the above provisions of the STHF Rules 2018 do not apply to residential holding rooms, or to the persons detained in such facilities.

The provisions of the STHF Rules 2018 that are modified or substituted for residential holding rooms are:

- Rule 13 (accommodation)
- Rule 14 (sleeping accommodation)
- Rule 15 (families and minors)
- Rule 23 (outside contacts)
- Rule 27 (legal adviser)
- Rule 30 (medical screening)
- Rule 31 (general medical care)
- Rule 32 (special illnesses and conditions)

The substitution for rule 13 (accommodation) provides that individuals in a residential holding room must be provided with sufficient accommodation which is to be certified as adequate for health in terms of its size, lighting, heating, ventilation and fittings. No room shall be used for sleeping accommodation unless certified by the Secretary of State as in line with the above requirements.

The substitution for rule 14 (sleeping accommodation) provides that individuals in residential holding rooms must be provided with separate sleeping accommodation from detained persons of the opposite sex, where possible.

The substitution for rule 15 (families and minors) provides that where members of the same family are detained in a residential holding room, they are entitled to enjoy family life in the residential holding room save to the extent necessary in the interests of safety or security. For example, they should be allowed to eat and/or socialise with each other. This must be consistent with the need to maintain security and safety and therefore if, for example, one family member posed a risk of harm to other members of the family this requirement can be overridden.

Families and unaccompanied minors under the age of 18 should be prioritised for processing whenever possible, in order to reduce the likelihood of these individuals being transferred to a residential holding room, or alternatively to ensure that they are detained in the residential holding room for as short a period as possible. Where it is necessary for families and unaccompanied minors under the age of 18 to be detained in the residential holding room, they should be provided with sleeping accommodation in residential holding rooms that cannot be accessed by unrelated, detained adults whenever practicable. Part 2 of this substitution also provides that an individual who is detained with, and responsible for, a person under 18 should be provided with everything reasonably necessary for their protection, safety, well-being, maintenance and care.

The substitution for rule 23 (outside contacts) provides for detained individuals in residential holding rooms to communicate by telephone with individuals outside the residential holding room, except where this would be contrary to the interests of security or safety.

The substitution for rule 27 (legal adviser) provides that individuals in residential holding rooms must be permitted to meet with their legal adviser where it is practical to do so. These meetings may be within sight of but not the hearing of an officer. Individuals can also use telephones to consult with their legal adviser.

The substitution for rule 30 (medical screening) provides that individuals must be screened by a health care professional within 24 hours of admission to a residential holding room, except where this is not possible due to exceptional circumstances. This is subject to an individual's consent being obtained prior to screening, and where an individual is under 18, the consent of their parent or legal guardian. An individual is entitled, on request, to be screened only by a health care professional of the same sex. It is the responsibility of the manager to ensure that the detained individual is aware of that entitlement prior to any screening. Where an individual has not been screened by a health care professional within 24 hours of admission to the residential holding room, the manager must ensure that the screening is conducted as soon as practicable.

The substitution for rule 31 (general medical care) provides that should a detained individual become ill or sustain an injury which requires medical attention, they must be provided prompt access to a health care professional along with any

arrangements made for supervision, care or transfer to hospital that appear necessary to the manager.

The substitution for rule 32 (special illnesses and conditions) provides that if during the medical screening, carried out in accordance with rule 30, the health care professional identifies any immediate risk to the individual's health, the health care professional must notify the manager of the risk and any arrangements must be made in accordance with rule 31. The manager must ensure that the individual's detention is reviewed as soon as practicable.

Related content

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Part 3 of the Short-term Holding Facility (STHF) Rules 2018 as amended by the Short-term Holding Facility (Amendment) Rules 2022

Admission and discharge

Rule 7 - Information to detained persons about these Rules and the short-term holding facility

This rule sets out the information that must be made available to individuals detained in all STHFs. This is as follows:

- a copy of the STHF Rules 2018 (this would also include a copy of the STHF (Amendment) Rules 2022 for individuals detained in a residential holding room)
- information about any procedures in place for applying for immigration bail
- information about the right to seek legal advice
- details about the procedures at the STHF in which they are detained

The rule requires that the specified information needs to be made available to individuals to consult if they so wish. In relation to the requirement about information on the right to seek legal advice, this may be met by means of posters or leaflets on the subject to be available to read. It does not require individuals to be provided with assistance to access such advice. There is, however, no prohibition on STHF staff providing individuals with reasonable assistance to access legal advice, including via a telephone translation service where the person has a poor command of English.

Where the above information is available in translated format it must be made available to any individual who requires it but, where it is not available, the rule does not require the Home Office proactively to have the information translated. Any detained individual who is under 18 years of age, or who has difficulties understanding written information, must have the above information explained to them in a language they understand.

The requirement to provide information about immigration bail does not apply to individuals at the juxtaposed controls in France. This is because immigration bail is not applicable at the juxtaposed controls.

Rule 8 - Record, photograph and fingerprinting

This specifies that a personal record must be set up for each individual which records their name and date of birth. It may also include other information, including the individual's external physical characteristics, for example, their height and/or hair colour.

In port holding rooms to facilitate compliance with the provision allowing detention to be extended beyond 24 hours in exceptional circumstances the individuals, personal record should also include the time the individual entered the holding room.

To facilitate compliance with rule 21 (religion), it is also advisable that the personal record includes details of the person's religion, provided they wish to disclose it.

The rule also provides that individuals may be photographed on initial reception at the STHF, and subsequently if necessary, and their fingerprints taken.

Information in the individual's personal record, and any photographs of them, must not be shared with anyone unless that person is authorised to receive it by the Secretary of State. Any sharing of an individual's personal information must be in accordance with the [General Data Protection Regulation](#) and the [Data Protection Act 2018](#).

Rule 9 - Detained person's property

This rule is concerned with the arrangements for recording and storing individuals' property (including cash) and the arrangements for returning such property on an individual's discharge from detention, or for its disposal in the event of their death in detention.

The rule also covers the confiscation of unauthorised property in the interests of safety or security, or where it is incompatible with the storage facilities of the facility. Items which have been confiscated from an individual may be returned to the individual, or disposed of by the STHF manager, on their discharge from detention.

Individuals' property must be dealt with in line with guidance set out in Detention Services Order 06-2012 (Management of Property), also published on GOV.UK as [Managing property of detainees in the UK](#).

If an individual leaves any property behind on their discharge from detention the rule requires that their property to be retained for a period of 28 days to allow an opportunity for it to be reclaimed. In the event that someone dies whilst detained in an STHF this rule requires that their property must be retained for 6 months.

If the property remains unclaimed at the end of these periods of time it may be sold or disposed of, with proceeds from the sale being used for the benefit of those who are detained. There is, however, no requirement that it must be sold.

Rule 10 - Search

This rule provides that searches of individuals will be undertaken by a detainee custody officer or immigration officer for reasons of safety or security when the individual is first detained, again on their reception at the short-term holding facility and thereafter when it is considered to be necessary or as directed.

This includes children under the age of 18. However, where a person under the age of 18 years is detained with their parents, or a carer, wherever possible, that individual must be present when the child is being searched.

Searching must take place in line with guidance set out in Detention Services Order 09-2012 (Searching), also published on GOV.UK as [Searching detainees at removal centres](#) or, in the case of holding rooms staffed by Border Force, in Border Force guidance (Escorting Immigration Detainees). Searching of any individual who identifies as transsexual must be in line with the guidance set out in Detention Services Order (DSO) 11-2012 (Care and Management of Transsexual Detainees), also published on GOV.UK as [Caring for and managing transsexual detainees](#).

Any item located during a search of an individual which is considered likely to compromise the security of the STHF, or the safety of any person, may be seized, retained and disposed of. This may include, but is not limited to, blades or knives. 'Disposal' also includes returning an item to an individual on their discharge, if appropriate.

This rule prohibits 'full searches' of anyone under 18 years. A 'full search' is defined in this rule as being a search involving removal of an item of an individual's clothing worn wholly or partly on the trunk and worn either next to the individual's skin or next to an item of underwear. Full searches of adult individuals must not take place in the presence of another detained person or a person of the opposite sex to the individual.

Intimate searching (defined in this rule as being a physical examination of a person's bodily orifices, other than the mouth) of an individual in a short-term holding facility is not permitted.

The rule also provides for the confiscation and disposal of any unauthorised item which is found concealed during a search or of any item located during a search which may endanger the security of the STHF or any person. Although this would include items that are considered dangerous, it would not be limited to that. For example, mobile phones with recording facilities smuggled into the STHF and located as a result of a search would also come within the scope of the rule.

As a matter of good practice notices should be displayed prominently around residential STHFs to inform individuals (and staff and visitors) that they are liable to be searched.

Rule 11 - Custody outside Short-term holding facilities

This rule requires that an individual being escorted either to, or from, an STHF must be exposed to as little public observation as possible and where someone is initially detained outside an STHF they must be in the custody of a detainee custody officer, immigration officer or police constable.

Rule 12 - Reasons for detention and update of claim

This rule requires individuals to be provided with written reasons for detention at the time of their initial detention (the IS.91R form - Reasons for Detention and Bail Rights), and following any subsequent review of detention, including the 24-hour point review, and to be provided with certain specified information, on request. It differs from the equivalent rule 9 of the Detention Centre Rules 2001, which requires individuals in immigration removal centres (and prisons and remand centres, hospitals, and young offender institutions) to be provided with written reasons for their initial detention and following monthly reviews of their detention. Please note that Border Force issue form IS.81 at the point of someone's initial detention at the border, which provides the basic rationale for their detention. In these cases, the IS.91R form is served if the individual is detained for a longer period, usually when the person enters a port holding room.

Although the STHF Rules do not explicitly require it, in line with normal practice, where an individual does not have a sufficiently strong command of English the contents of the IS.91R form should be explained to them in a language they understand, using a telephone translation service if necessary.

Following a person's initial detention published Home Office Detention – General instructions, also published on GOV UK at [Offender management: caseworker guidance](#), requires their continued detention to be reviewed at the 24-hour point to ensure that it remains appropriate and lawful. Detention must also be reviewed on an ad-hoc basis if there is a material change in an individual's circumstances. This will apply to individuals in residential STHFs, residential holding rooms and to those in holding rooms for whom an extension of stay beyond the normal 24-hour maximum has been authorised in line with the provision contained in rule 6.

Such 24-hour reviews are typically carried out by the Detention Gatekeeper Team (DGK), though in Border Force cases DGK responsibility for undertaking 24-hour reviews is confined to cases in which it is intended to transfer the individual to the wider detention estate.

In many instances, particularly Border Force cases, the basis of the individual's detention will have changed by the 24-hour review point (that is from detention under paragraph 16(1) of Schedule 2 to the Immigration Act 1971 to detention under paragraph 16(2) of Schedule 2). In line with existing Home Office detention policy, a fresh IS.91R form should therefore have been served on the person, containing updated reasons for their detention to reflect the change in the basis for their detention.

At the 24-hour review point the individual must be notified in writing of the outcome of their detention review. This should be done using form IS.151F (STHF). In many cases this form will simply be re-confirming to the individual that the reasons for their detention remain the same as set out on the IS.91R form served on them when they were initially detained or (where an updated IS.91R has been served on them) as set out on the updated form.

In relation to Border Force cases, as indicated above, although responsibility for conducting the 24-hour detention review may have fallen to the Detention Gatekeeper if the individual remains within a port holding room responsibility for generating and serving the IS.151F (STHF) form on the individual lies with Border Force.

As required by published Home Office detention policy guidance an individual's detention must also be reviewed on an ad hoc basis where there is a change in circumstances that may be relevant to the decision to detain them. The outcome of any such ad hoc review of detention carried out whilst the individual remained detained in an STHF must also be transmitted to the person. Again, this should be done using the IS.151F (STHF) form.

Following service of any detention review Atlas or CID must be updated to that effect, along with the time the review was served and the name of the officer responsible for serving it. In residential STHFs, where there is no Home Office presence, responsibility for updating Atlas would rest with the Escorting and Contract Monitoring Team (ECMT).

Facilities

Rule 13 - Accommodation

This rule requires sufficient accommodation to be provided for individuals in residential STHFs and for individuals' sleeping accommodation to be certified as appropriate in terms of its lighting, ventilation, fittings, and storage, as well as allowing individuals to communicate with staff at any time.

Any room in a residential STHF that is used for the purposes of removal from association (under rule 35), or temporary confinement (under rule 37) must be similarly certified.

Certificates must specify the maximum number of detained persons who may be accommodated in any particular room.

This rule does not apply to holding rooms and has been modified for residential holding rooms as set out in rule 6A (5) (inserted by rule 2(5) of the Short-term Holding Facility (Amendment) Rules 2022). For residential holding rooms, individuals must be provided with sufficient accommodation which is to be certified as adequate for health in terms of its size, lighting, heating, ventilation and fittings. No room shall be used for sleeping accommodation unless certified by the Secretary of State as in line with the above requirements.

Rule 14 - Sleeping accommodation

This rule provides that individuals in residential STHFs must be provided with separate sleeping accommodation from individuals of the opposite sex.

There is an exception for family members who are detained together who must be permitted to exercise their right to a private and family life under Article 8 of the European Convention on Human Rights whilst detained.

This rule does not apply to holding rooms and has been modified for residential holding rooms under the Short-term Holding Facility (Amendment) Rules 2022. As indicated under Rule 6A (6), for residential holding rooms individuals must be provided with separate sleeping accommodation from detained persons of the opposite sex, where possible.

Rule 15 - Families and minors

This rule is concerned with ensuring that detained families in residential STHFs are able to enjoy family life whilst they are detained by, for example, allowing them to eat and/or socialise with each other. This must be consistent with the need to maintain security and safety and therefore if, for example, one family member posed a risk of harm to other members of the family this requirement can be overridden.

Detained families and unaccompanied minors under the age of 18 in residential STHFs must be provided with sleeping accommodation that cannot be accessed by unrelated, detained adult individuals.

Please note that for the purposes of this rule a 'family' is considered to be as set out in Detention Services Order 01-2014 (Definition of a family), also published on GOV.UK as [Families in immigration removal centres](#).

This rule does not apply to holding rooms and has been modified for residential holding rooms under the Short-Term Holding Facility (Amendment) Rules 2022. As indicated under Rule 6A (7) where members of the same family are detained in a residential holding room, they are entitled to enjoy family life in the residential holding room save to the extent necessary in the interests of safety and security.

Families and unaccompanied minors under the age of 18 should be prioritised for processing whenever possible, in order to reduce the likelihood of these individuals being transferred to a residential holding room, or alternatively to ensure that they are detained in the residential holding room for as short a period as possible. Where it is necessary for families and unaccompanied minors under the age of 18 to be detained in the residential holding room, they should be provided with sleeping accommodation in residential holding rooms that cannot be accessed by unrelated, detained adults whenever practicable.

Part 2 of this substitution also provides that an individual who is detained with, and responsible for, a person under 18 should be provided with everything reasonably necessary for their protection, safety, well-being, maintenance and care.

Rule 16 - Clothing

This rule permits individuals to wear their own clothes whilst detained, provided the clothes are suitable and clean, and to make arrangements to have clothing supplied to them from outside the STHF.

If an individual requires it, they must be provided with clothing adequate for warmth and health.

The rule does not apply to holding rooms.

Rule 17 - Food

This rule requires the provision of adequate food and drink to individuals in STHFs. Food must be nutritionally balanced and, where practicable, meet the religious, dietary, or medical needs of individuals.

The expectation is that in holding rooms this requirement may be met through the provision of light refreshments and snack food, whilst in residential holding rooms and residential STHFs hot meals should be provided (at least for lunch and dinner).

There must be arrangements in place to monitor the quality of food and drink provided and remedy any shortcomings identified.

Rule 18 - Hygiene

This requires individuals in all STHFs to be provided with toiletries for their personal health and cleanliness, if required.

In residential STHFs individuals must also have the opportunity to bathe or shower and shave on a daily basis. These requirements do not apply to holding rooms.

The provision of toiletries, or access to facilities to bathe or shower, or shave may be refused where it is considered this would be contrary to the security of the STHF or safety of any individual or other person. This would include, but is not limited to, cases where there is evidence to indicate that the individual may have suicidal intentions.

Rule 19 - Recreation

This rule requires individuals in all STHFs to be provided with recreational facilities 'so far as is reasonably practicable'.

In holding rooms, where people are usually detained only for very short periods of time and there are thus limited facilities available, this requirement could be met through, for example, the provision of books or magazines for adults and older children, along with some toys for younger children.

In residential holding rooms, the expectation is that a regime will be operated to allow free association of residents for the majority of the day, with bedrooms and recreational areas open to the extent that this does not prejudice safety and security.

In residential STHFs, the expectation is that there would be a higher level of recreational provision for individuals, for example, access to television, DVDs, and games consoles.

Rule 20 - Time in open air

This requires individuals to be permitted to spend at least one hour in every 24 hours in the open air. Although this requirement does not, strictly speaking, come into effect until an individual has spent 23 hours in detention, in the interests of individuals' welfare, wherever possible consideration should be given to allowing them to spend time in the open air before this time frame is reached. Similarly, the requirement is a minimum and thus, where practicable, consideration should be given to permitting more frequent access to the open air.

Access to time in the open air at any STHF may be refused in exceptional circumstances where this is considered necessary in the interests of security or the safety of the individual or any other person. This would include but is not limited to circumstances in which there is evidence that a particular individual poses a risk of escape. As indicated in the above section on rule 6, access to the open air may additionally be refused at holding rooms where the design or location of the facility means that it is not reasonably practicable, for example, when a holding room is located in an airport terminal building which does not have direct access to outside space.

Religion

Rule 21 - Diversity of religion and Rule 22 - Religious denomination

The STHF Rules require STHFs to take account, as far as practicable, of the different religious and cultural backgrounds of individuals and for an individual's religion to be recorded, if they so wish.

Communications

Rule 23 - Outside contacts

This is a preamble to STHF Rules 24, 25, 28 and Part 6 (Persons having access to short-term holding facilities) providing for individuals in residential STHFs to maintain contact with individuals outside the STHF, provided this does not conflict with the interests of safety and security of the facility, the detained person, or other persons.

There is a substitution for rule 23 for holding rooms at rule 6(6), which provides that individuals in holding rooms may have telephone contact with other individuals

outside the holding room, provided this would not prejudice the security of the holding room, or the safety of the individual or other persons.

For residential holding rooms this rule has been substituted by rule 6A (8) (inserted by rule 2(5) of the Short-term Holding Facility Rules 2022), which provides for detained individuals in residential holding rooms to communicate by telephone with individuals outside the residential holding room in which they are detained, except where this would be contrary to the interests of security or safety.

Rule 24 - Correspondence

This is concerned with the arrangements for individuals to send and receive letters and/or faxes and sets out the circumstances in which the Home Office will meet the costs of postage and faxes if an individual does not have the means to pay personally.

This rule does not apply to holding rooms or residential holding rooms.

Rule 25 - Visits

This provides for individuals in residential STHFs and residential holding rooms to receive visits, though they may be restricted in certain circumstances, in line with Detention Services Order 04-2012 (Visitors and Visiting Procedures), also published on GOV.UK as [Visitors and visiting procedures for detainees](#). Such visits must take place within the sight, though out of hearing, of a member of staff, unless directed otherwise. There is an exception to this for legal advisers, who must be able to meet individuals in confidence (see rule 27).

This rule does not apply to holding rooms.

It is not permitted for visitors to STHFs to take photographs, or any other form of digital or electronic record of the facility, without approval from the Secretary of State.

Rule 26 - Official interviews

This rule provides that individuals may be interviewed by immigration officers, police officers, government officials or consular officers if they are obliged to attend such an interview or are otherwise willing to be interviewed by them.

There is no stipulation in the rule about where such interviews should take place: they may be either on the premises of the STHF or elsewhere.

Rule 27 - Legal adviser

This makes provision for individuals to meet with their legal advisers in confidence in STHFs. Such visits may be in the sight of an officer but must not be in their hearing.

There is a modification for this rule in relation to holding rooms (see rule 6(7)) which prevents legal advisers visiting individuals in port holding rooms if the holding room

is located in an area of a port that cannot be accessed by the general public. Where this applies, the individual must be able to contact their legal adviser by telephone.

For residential holding rooms this rule has been modified by rule 6A (9) (inserted by rule 2(5) of the Short-term Holding Facility Rules 2022), which provides that individuals must be permitted to meet with their legal adviser in confidence if it is practical to do so. Individuals can also use telephones to consult with their legal adviser. Meetings between detained individuals and their legal adviser may be in the sight of an officer but must not be in their hearing.

There are no prohibitions on legal advisers visiting individuals in reporting centre holding rooms.

Rule 28 - Use of telephones

This rule provides that individuals in STHFs must have access to a telephone to make calls, and the means to receive incoming telephone calls, which they must be notified of promptly.

Access to a telephone in this rule includes access to a mobile telephone. Access to mobile phones by individuals is governed by instructions set out in Detention Services Order 058-/20128 (Mobile phones, internet enabled devices and cameras), also published on GOV.UK as [Mobile phones and cameras in immigration removal centres](#).

The rule provides that reasonable limits and conditions may be placed on an individual's use of the telephone. This may include, but is not limited to, situations in which one individual is monopolising use of a landline telephone at an STHF to the detriment of other individuals who also want to use it.

Where individuals do not have the funds to make calls these may be paid for, again within reasonable limits.

Rule 29 - Access to the internet

This rule provides for individuals in residential STHFs to have access to the internet. Access is subject to reasonable limits and conditions, as set out in Detention Services Order 04/2016 (Access to the internet), also published on GOV.UK as [Internet access for detainees](#).

An individual's access to the internet may be suspended by the manager of the STHF where this is considered necessary. This would include, but is not limited to, situations in which an individual is attempting to access prohibited internet sites or is spending a disproportionate amount of time using the internet to the detriment of other individuals. Where this happens, the individual must be given written reasons for this and the Secretary of State (in practice the Home Office Immigration Enforcement ECMT Contract Monitor) must be notified of the suspension as soon as possible.

This rule does not apply to holding rooms, or residential holding rooms.

Health care

Rule 30 - Medical screening

This requires an individual in a residential STHF to be screened by a health care professional (in practice, usually a nurse) within 2 hours of their admission to the facility, provided they give their consent. A individual is entitled to request to be screened by a health care professional of the same sex as themselves. If a health care professional of the same sex as the individual is not immediately available, the STHF manager must ensure one is available as soon as practicable.

Where an individual makes a request to this effect, operational difficulties obtaining a health care professional of the requisite sex may mean that, on occasions, the individual's health care screening does not take place in the 2-hour window required by rule 30(1). In practice, where, despite the manager's best efforts, it is not possible to obtain a health care professional of the same sex as the individual who has made the request then, if it is expected that the individual's detention will continue, and they maintain their wish to be seen by a healthcare professional of the same sex as themselves, consideration should be given to transferring the individual to an immigration removal centre for the screening to take place.

This rule does not apply to holding rooms, which do not have on-site health care staff.

For residential holding rooms this rule has been substituted by rule 6A (10), which provides that individuals must be screened by a health care professional within 24 hours of admission to a residential holding room, except where this is not possible due to exceptional circumstances. This is subject to an individual's consent being obtained prior to screening, and where an individual is under 18, the consent of their parent or legal guardian.

An individual is entitled, where they request, to be screened only by a health care professional of the same sex. It is the responsibility of the manager to ensure that the detained individual is aware of that entitlement prior to any screening. Where an individual has not been screened by a health care professional within 24 hours of admission to the residential holding room, the manager must ensure that the screening is conducted as soon as practicable.

Rule 31 - General medical care

This rule is concerned with ensuring that individuals in residential STHFs have access to a 'health care professional', which is defined by rule 2 as being either a registered medical practitioner or registered nurse. Any request to be seen by a health care professional must be recorded and passed on promptly. Where such a request is made, the health care professional notified must see the individual as soon as practicable.

As with rule 30, an individual is entitled to request an examination by a health care professional of the same sex as themselves. If a health care professional of the

same sex is not immediately available, the STHF manager must ensure one is available as soon as practicable.

Where, despite the manager's best efforts, it is not possible to source a healthcare professional of the requisite sex if it is expected that the person will remain in detention, rather than being released imminently, consideration should be given to transferring them to an immigration removal centre for the medical appointment to take place.

This rule also entitles individuals to request access to a registered health care professional, other than those available at the facility or those consulted by them. This is subject to the following caveats: that the individual must pay for any expenses incurred; the manager and the Secretary of State must be satisfied that there are reasonable grounds for the request; and that the attendance of the requested health care professional must be in consultation with the health care professionals at the facility.

Health care professionals in residential STHFs treating an individual are responsible for obtaining, as far as possible, the individual's existing medical records and ensuring that a summary of any treatment received whilst in the facility is recorded on the individual's clinical notes. When an individual is transferred to another detention facility these notes are handed to the transferring detainee custody officer (DCO) in a sealed envelope when the individual leaves the STHF and are passed on to healthcare staff at the receiving centre. A copy of any medical records is also kept within the transferring facility. Where an individual is involved in legal proceedings the rule allows the individual to be examined by a registered health care professional selected by, or on behalf of, the individual and for that health care professional to be given reasonable facilities to examine the individual.

There is also an obligation on any member of staff who has concerns about the physical or mental health of any individual to bring the matter to the attention of a health care professional at the STHF.

Rule 6 contains a substitution for rule 31 insofar as holding rooms are concerned to reflect the fact that, unlike residential STHFs, they do not have on-site health care staff. It requires that there must be prompt access to a health care professional, including making arrangements for transfer to hospital, if necessary, where an individual in a holding room becomes ill or sustains an injury such that it requires medical attention from healthcare staff. This would include provision of medical care for any individual requiring attention by health care staff as a result of a pre-existing illness or injury they had on their initial admission to detention.

For residential holding rooms this rule has been substituted by rule 6A (11), which provides that should a detained individual become ill or sustain an injury which requires medical attention, they must be provided prompt access to a health care professional along with any arrangements made for supervision, care or transfer to hospital that appear necessary to the manager.

Rule 32 - Special illnesses and conditions

This provides arrangements for the health care professionals in residential STHFs to report to the Secretary of State where they have concerns that:

- an individual's health may be injuriously affected by their continued detention in a short-term holding facility or any conditions of detention
- an individual may have suicidal intentions
- an individual may have been a victim of torture

The rule is equivalent to rule 35 of the [Detention Centre Rules 2001](#).

As indicated above, by virtue of rule 2 a 'health care professional' may be either a registered medical practitioner or a registered nurse. Accordingly rule 32 reports may be made by either doctors or nurses.

Rule 32(6) defines 'torture' as being:

“any act by which a perpetrator intentionally inflicts severe pain or suffering on a victim in a situation in which-

- (a) the perpetrator has control (whether mental or physical) over the victim; and
- (b) as a result of that control, the victim is powerless to resist.”

This reflects the definition of torture set out in the Detention Centre (Amendment) Rules 2018 (SI 411/2018), also laid before Parliament on 27 March 2018, which came into force on 2 July 2018.

Rule 32 reports must be passed to the Secretary of State without delay in line with guidance set out in Detention Services Order 09/2016 (Detention Centre rule 35 and Short-term Holding Facility rule 32), also published on GOV.UK as [Detention Rule 35 process](#), and responded in the time scales specified in that instruction. Reports must be considered in line with the guidance on Adults at Risk in Immigration Detention.

In line with Detention Services Order 09/2016, health care professionals at residential STHFs are not required to submit a rule 32 report if they do not have a concern about a particular individual.

The rule also requires healthcare professionals at residential STHFs to pay special attention to any individual with mental health conditions.

Rule 32 does not apply to holding rooms, which do not have on-site healthcare staff.

For residential holding rooms this rule has been substituted under rule 6A (12), which provides that if during the medical screening, carried out in accordance with rule 30, the health care professional identifies any immediate risk to the individual's health, the health care professional must notify the manager of the risk and any arrangements must be made in accordance with rule 31. The manager must ensure that the individual's detention is reviewed as soon as practicable.

The guidance for Rule 32 reports in residential holding rooms is set out in the [Guidance on the application of Rule 32 of the Short-Term Holding Facility Rules 2018 as amended by the Short-term Holding Facility \(Amendment\) Rules 2022 in Residential Holding Rooms \(RHR\)](#). The Rule 32 (RHR) Report form is set out in this guidance document [Rule 32 \(RDR\) report form](#).

Rule 33 - Notification of illness or death

This requires that the manager of the STHF must inform the Secretary of State in the event that an individual dies, becomes seriously ill, sustains a severe injury, or is moved to hospital whilst detained in an STHF.

Where this happens in residential STHFs the Detention Custody Manager (DCM) would inform the ECMT Duty HEO, whilst in contractor-staffed holding rooms the service delivery manager is responsible for informing the ECMT Duty HEO. The individual's spouse, civil partner or next of kin (where known) and any other person that the individual has ask to be informed must also be informed by the Detention and Escorting Services Family Liaison Network 'on call' officer.

Please note that in the event of an individual's death in a contractor-staffed holding room, a residential holding room or residential STHF procedures set out in Detention Services Order 8 2014 (Notification of death), also published on GOV.UK as [Deaths in detention](#), must be followed.

In the event of an individual dying, sustaining a severe injury, becoming seriously ill or needing to be transferred for hospital in a Border Force-staffed holding room there would be a notification process escalated via the local Border Force manager to the relevant Border Force Regional Command Centre (RCC) and Border Force National Command Centre (NCC). Again, the individual's spouse, civil partner or next of kin (where known) and any other person that the individual has ask to be informed must also be informed.

Additionally, in the event of an individual death in an STHF, rule 33 (4) requires that the police, coroner, or Procurator Fiscal (in Scotland) and Visiting Committee (known as the Independent Monitoring Board) responsible for the facility must also be informed without delay.

Rule 34 - Requests and complaints

This rule provides that an individual can make a complaint or request, in confidence, either orally or in writing, to the STHF manager, to the Home Office or to the Visiting Committee (known as the Independent Monitoring Board).

Written complaints or requests may be submitted in the individual's own language.

Complaints are dealt with in line with guidance set out in Detention Services Order 03/2015 (Complaints Handling), also published on GOV.UK as [Handling complaints in immigration removal centres](#), and responded to within the timescales specified in that instruction.

Responses to complaints will be in English, in line with arrangements set out in the above Detention Services Order.

Related content

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Part 4 of the Short-term Holding Facility (STHF) Rules 2018 as amended by the Short-term Holding Facility (Amendment) Rules 2022

Maintenance of security and safety

Rule 35 - Removal from association

This is concerned with the arrangements that apply when it is necessary to remove an individual from association with other individuals in residential STHFs in the interests of safety or security. It also sets out the arrangements for monitoring individuals who are removed from association and the time limits that apply to it.

This rule does not apply to holding rooms or residential holding rooms.

In implementing this rule staff must comply with instructions set out in Detention Services Order 02-2017 on detention centre (DC) Rules 40 and 42, and STHF Rules 35 and 37, also published on GOV.UK as [Removal from association and temporary confinement](#).

Under this rule an individual may not be removed from association for more than 24 hours without written authority from the Secretary of State, which must state the reasons for removing the individual from association and the length of time the authority lasts for.

Authority to extend removal from association beyond this initial 24-hour period may be given for a period of no more than 7 days.

In an emergency, there is provision for the STHF manager to authorise an individual's removal from association, though where this happens the Secretary of State must be informed without undue delay.

Removal from association must not be used as a punishment.

Individuals who are removed from association must be provided with written reasons for the decision within 2 hours of it being made and any renewal, unless, in exceptional circumstances, it would be contrary to the security of the STHF or the safety of the individual safety or other persons. Each removal from association must be recorded and the Visiting Committee (known as the Independent Monitoring Board) informed. The STHF manager and a healthcare professional must visit an individual who has been removed from association at least once a day for as long as they remain in that situation. Individuals must be permitted to resume association with other individuals if the healthcare professional advises this on medical grounds.

Rule 36 - Use of force

This makes clear that detainee custody officers and immigration officers must not use force on an individual unnecessarily and must not deliberately act in a manner calculated to provoke an individual. Where force is used then no more force than is reasonable may be applied.

Where force is used on an individual it must be recorded and reported to the Secretary of State without delay.

In practice, for residential STHFs, residential holding rooms and contractor-staffed holding rooms any incident involving use of force should be recorded on a 'use of force' form (filled in manually but then electronically scanned) and reported to both the Home Office Immigration Enforcement 'use of force monitor' and the Contract Monitor, who are responsible for providing additional oversight.

For Border Force-staffed holding rooms any incident involving use of force must be recorded on a digital 'use of force' form on the Border Force national database. Digital data from use of force reports are accessed by line managers, local command units and assurance units to respond to investigations and inspections. Such data are also extracted from the central database to give a regional and national picture of use of force activity by Border Force. These reports are then analysed to inform training and policy development at local and national levels.

Rule 37 - Temporary confinement

This is concerned with the arrangements that apply for dealing with an individual in a residential STHF who is unmanageable or violent, including the arrangements as to whether application of the rule remains appropriate.

This rule does not apply to holding rooms or residential holding rooms.

In implementing this rule staff must comply with instructions set out in Detention Services Order 02-2017 on detention centre (DC) Rules 40 and 42, and STHF Rules 35 and 37, also published on GOV.UK as [Removal from association and temporary confinement](#).

Under this rule an individual must not be placed in temporary confinement for more than 24 hours without the written authority of the Secretary of State, which must state the reason the individual has been placed in temporary confinement and how long the authorisation (which must not exceed 48 hours in the first instance) lasts for. There is provision to extend the authorisation beyond this initial 48-hour point.

In an urgent situation, there is provision for the STHF manager to authorise an individual's temporary confinement, though where this happens the Secretary of State must be informed without undue delay.

The STHF manager and a health care professional must visit an individual placed in temporary confinement at least once a day for as long as they remain there.

Individuals must not be placed in temporary confinement as a punishment.

Written reasons must be given to the individual within 2 hours of the initial period of temporary confinement, or subsequent renewal period, unless, in exceptional circumstances, it would be contrary to the individual's safety or the safety of another person at the STHF. Each period of temporary confinement must be recorded and the Visiting Committee (known as the Independent Monitoring Board) informed.

Related content

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Part 5 of the Short-term Holding Facility (STHF) Rules 2018 as amended by the Short-term Holding Facility (Amendment) Rules 2022

Staff of short-term holding facilities

Rule 38 - General duties of staff

This requires staff to comply with the STHF Rules and report any instance of abuse or impropriety that comes to their attention in the course of their duties.

Contractor staff must report any incident of abuse and/or impropriety in line with their company's procedures.

Home Office staff may report any instance of abuse and/or impropriety to their line manager in the first instance, who will escalate the matter as appropriate.

The only exception to this is where the incident of abuse and/or impropriety involves the person's line manager, in which case staff must report the matter directly to their countersigning manager.

Where a Home Office member of staff considers the perceived wrongdoing to be a matter in the wider public interest, or is one that contravenes the Civil Service Code, they must report their concerns in line with the procedure set out in the Home Office DSO - 03-2020 Whistleblowing.

Rule 39 - Gratuities

Rule 39 requires that staff must not accept gratuities or any other form of unauthorised reward in connection with their post.

Rule 40 - Transactions with detained persons

Rule 40 requires that staff must not without authority involve themselves in any business or financial transactions with, or on behalf of, individuals and that they should not without authority take in or take out of the facility any article for individuals. For residential STHFs and contractor-staffed holding rooms such authority must be obtained from the DEPMU senior 'on call' officer. For Border Force-staffed holding rooms it must be obtained from an officer at Higher Officer level. Neither must staff allow any item to be taken in or out of the facility or deposit any item such that it could come into the possession of an individual.

Rule 41 - Staff employed by the contractor

This requires staff to cooperate fully with the Home Office contract monitor's statutory functions.

Rule 42 - Search of staff

This requires staff to submit themselves to being searched if required by the STHF manager. Any such search must be conducted in an appropriate fashion and must not involve removal of any item of clothing apart from an outer coat, jacket or gloves, in line with guidelines set out in Detention Services Order 09-2012 (Searching), also published on GOV.UK as [Searching detainees at removal centres](#), which applies to searching of both staff and individuals.

Any item located as a result of such a search which may compromise the security of the facility, or the safety of any person, may be seized, retained, and disposed of.

Rule 43 - Contact with former detained persons or the friends and relatives of detained or former detained persons

Rule 43 requires that STHF staff must not, without authority, have any dealings with someone they know to be a former individual at an STHF or an immigration removal centre (IRC), or with the relatives or friends of current or former individuals.

Related content

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Part 6 of the Short-term Holding Facility (STHF) Rules 2018 as amended by the Short-term Holding Facility (Amendment) Rules 2022

Persons having access to short-term holding facilities

Rule 44 - Authorisation for access, Rule 45 - Prohibited items, Rule 46 - Control of Persons and Vehicles, Rule 47 - Viewing of Short-term Holding Facilities and Rule 48 - Visitors

These STHF Rules are collectively concerned with the security of STHFs, principally by ensuring that there is no access to an STHF by an unauthorised person and by providing for the confiscation of any prohibited items brought into, or removed from, a facility.

Where access to a facility is permitted, there is provision for individuals or vehicles to be stopped and searched. Searches of individuals must be conducted in an appropriate manner and the persons being searched must not be required to remove any item of clothing apart from an outer coat, jacket, or glove. Any item located during such a search which may compromise the security of the facility, or the safety of any person may be seized, retained, and disposed of. Where appropriate, the STHF manager may authorise the removal of a person who does not leave the facility when required to do so, using reasonable force if necessary.

As a matter of good practice notices should be displayed prominently around residential STHFs to inform visitors (and individuals and staff) that they are liable to be searched.

Rule 44 prevents individuals entering an STHF without authorisation, whilst rule 48 is concerned with placing restrictions on visits to residential STHFs where there is a need to do so in the interests of security, safety or the interests of any person. Such restrictions do not apply to visits to a detained person by a member of the Visiting Committee (Independent Monitoring Board) or legal adviser.

In implementing this rule staff must follow instructions set out in Detention Services Order 04-2012 (Visitors and Visiting Procedures), also published on GOV.UK as [Visitors and visiting procedures for detainees](#), which clarifies the procedures to be followed by staff when checking the identity of official, professional and social visitors and when dealing with minors visiting individuals. It also explains the procedures to be adopted when placing an individual on closed visits or when banning an individual's visitors from a residential STHF.

Rule 48 (visitors) does not apply to holding rooms, which reflects the fact that rule 25 (visits) similarly does not apply to holding rooms. Rule 48 (visitors) does not apply to residential holding rooms.

Related content

[Contents](#)

Part 7 of the Short-term Holding Facility (STHF) Rules 2018 as amended by the Short-term Holding Facility (Amendment) Rules 2022

Visiting committees (otherwise known as independent monitoring boards)

Rule 49 - Conflict of Interest

This requires Visiting Committee (otherwise known as Independent Monitoring Board (IMB)) members to avoid situations which may present a conflict of interest with their role as an IMB member. This duty extends to people connected to IMB members, such as their friends and family, and work colleagues, and applies even after the individual has ceased to be a Visiting Committee member.

A member of the IMB who either has, or could have, such a conflict of interest must vacate their role as a committee member.

Rule 50 - Visiting Committees

This is concerned with the appointment of IMB members; their training and probation; and suspension and termination of their appointment. It also covers the appointment of IMB chairs and vice chairs and termination of their appointment.

Rule 51 - Proceedings of Visiting Committees

This requires members of an IMB to meet collectively once a month or, where they decide that less frequent meetings are sufficient, no fewer than 8 times over any 12-month period.

IMBs may set a quorum of at least 3 members for meetings and must keep minutes of all their meetings.

Rule 52 - Members visiting Short-term holding facilities

This rule requires IMB members to visit the STHF frequently and set up a rota to ensure that at least one member visits at least once a month.

IMB members have access, at all times, to all parts of the facility and may speak to individuals outside of the hearing of officers. They are permitted to interview individuals out of the hearing of staff.

Although IMB members have access to STHF records this is limited to those records which are necessary to discharge their responsibilities as IMB members. It would not, for example, include health care records or other personal information relating to a particular individual.

Rule 53 - General duties of Visiting Committees

This sets out the general responsibilities of IMBs, namely: to inspect the state of the STHF premises, its administration and the treatment of individuals held there. In addition, an IMB must inquire into and report on any matter requested by the Secretary of State.

The IMB must inform the STHF manager about any matter which they consider they personally need to be aware of, which requires their attention, and report to the Secretary of State about any matter about which they consider the Home Office generally needs to be aware. They must additionally inform the Secretary of State immediately if any abuse of individuals comes to their attention. In practice, it is a matter for the IMB to decide to whom they should report their concern according to the nature of the issue in question (for example a local Home Office official, Home Office official at a national level or, in serious cases, to Home Office Ministers directly).

IMB members must not involve themselves in matters relating to an individual's immigration status.

Rule 54 - Particular duties

An IMB member must visit individuals who, at the time of their visit to the STHF, have been removed from association under rule 35, or placed in temporary confinement under rule 37, and ensure the correct procedures have been followed in exercising the powers under those STHF Rules. IMBs must consider any complaint or request which an individual wishes to make to them. They must also arrange for individuals' food to be inspected regularly and make enquiries into the case of any individual whose mental or physical health is reported to them as likely to be injuriously affected by any conditions of detention.

Rule 55 - Annual Report

IMBs must produce an annual report for the Secretary of State covering the treatment of individuals within the facility, the state and administration of the facility, as well as providing any advice or suggestions they consider appropriate. The report must cover the preceding 12-month period, starting with the date that the IMB is first constituted: in other words, reports need not cover a calendar year.

The IMB must comply with any directions given to them by the Secretary of State in respect of a particular report or generally.

Related content

[Contents](#)

Part 8 of the Short-term Holding Facility (STHF) Rules 2018 as amended by the Short-term Holding Facility (Amendment) Rules 2022

Supplemental

Rule 56 - Delegation by the manager or person for the time being in charge

This provides that an STHF manager may, subject to authority from the Secretary of State, delegate any of their responsibilities as set out in the STHF Rules to an individual custody officer or immigration officer.

Related content

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Part 9 of the Short-term Holding Facility (STHF) Rules 2018 as amended by the Short-term Holding Facility (Amendment) Rules 2022

Miscellaneous

Rule 57 - Extension of Part 8 of the Immigration and Asylum Act 1999 to Short-term holding facilities

This provides for the extension to STHFs of particular provisions in the Immigration and Asylum Act 1999.

This rule does not have any operational implications.

Related content

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The application of Rule 32 of the Short-term Holding Facility Rules 2018 (as amended by the Short-term Holding Facility (Amendment) Rules 2022) to residential holding rooms

The purpose of rule 32 is aligned to the purpose of [rule 35 of the Detention Centre Rules 2001](#), as set out in Detention - general guidance, which is 'to ensure that particularly vulnerable detainees are brought to the attention of those with direct responsibility for authorising, maintaining and reviewing detention.'

For residential holding rooms, Rule 32 has been modified by the Short-term Holding Facility (Amendment) Rules 2022. The amendment to Rule 32 is set out in Sub-paragraph (12) of rule 6A of the Short-Term Holding Facility Rules 2018 (as inserted by the Short-term Holding Facility (Amendment) Rules 2022).

[Rule 32 \(RHR\)](#) states that if, during the medical screening carried out under rule 30, a healthcare professional must report to the residential holding room manager if there is an immediate risk to the detained person's health.

[Rule 2 of the Short-term Holding Facility Rules 2018](#) specifies that a 'healthcare professional' for the purposes of the Short-term Holding Facility Rules **includes both registered medical practitioners (doctors) and registered nurses**.

This guidance sets out Home Office policy regarding:

- the preparation and submission of rule 32 (RHR) reports by healthcare professionals (doctors or nurses) in RHRs
- the process to be followed by Home Office staff in response to a rule 32 (RHR) report.

Its purpose is also to ensure that all staff working in a residential holding room and those Home Office staff responsible for maintaining and reviewing detention understand the purpose of rule 32 (RHR) and are aware of the procedures for recording and dealing with such reports.

Preparing and submitting Short-term Holding Facility (STHF) rule 32 (RHR) reports – healthcare professionals

[Sub-paragraph \(12\) of rule 6A of the Short Term Holding Facility Rules 2018 as amended by the Short term Holding Facility \(Amendment\) Rules 2022](#) provides that Rule 32 (RHR) reports may be prepared and submitted by 'healthcare professionals'.

Where a healthcare professional in a residential holding room considers that they have identified an immediate risk to the detained person's health, they must complete a clear and legible report using the template at [Rule 32 \(RHR report\)](#).

The template guides healthcare professionals in residential holding rooms, through the information that is required in a completed report. The completed report must be submitted without delay to the residential holding room manager. A copy must also be placed on the individual's medical record and provided to them free of charge.

Medical information is considered to be special category data under UK data protection law. Article 9 of UK GDPR allows for special category data to be shared in certain circumstances. Article 9.2.h allows for the processing of health and medical information for the purposes of preventative or occupational medicine by a healthcare professional under a duty of confidentiality, and Article 9.2.g ('substantial public interest') enables supplier and Home Office staff to process this information in order to fulfil their obligations under rule 32 (RHR) of the Short-term Holding Facility Rules 2018. This means that healthcare professionals are able to share information without obtaining consent if it is necessary to ensure that the health and wellbeing of the individual is maintained, in line with the purpose of rule 32 (RHR). The sharing of medical information should always be limited to only what is necessary.

When completing the [Rule 32 \(RHR\) report](#) healthcare professionals should state the basis, with evidence, for their concern that there is an immediate risk to the individual's health. They should also detail any arrangements for supervision, care or transfers to hospital that they consider are necessary. Healthcare professionals should also note, if relevant, whether they consider that special considerations with regards to the medical conditions should be taken into account if the person was to be released.

All reports must be legible and use clear and easily understood language so that Home Office responsible officers can understand the significance of any evidence provided and are able to make an informed decision when reviewing detention.

Requirements from Home Office staff on receipt of Short-term Holding Facility (STHF) rule 32 (RHR) report

Actions by the Home Office ECMT duty HEO

The transmission of rule 32 reports from residential holding rooms to the relevant caseworker, and caseworker decisions to the holding room manager, is the responsibility of the Escorting Contract Monitoring Team (ECMT) duty HEO.

On receipt of a rule 32 (RHR) report, the ECMT duty higher executive officer (HEO) must forward it to the Home Office responsible officer and to the residential holding room manager.

The ECMT duty HEO must:

1. Log receipt of the report.

2. Ensure that the report is legible, clear, signed by a named healthcare professional and complies with the overall reporting requirements as indicated above and in the report template. If the report does not meet these criteria the Home Office ECMT duty HEO must, within 24 hours, ask for this to be rectified by the healthcare professional.
3. Update the ECMT log with the name of the responsible officer, date and time.

When forwarding a rule 32 (RHR) report, the ECMT duty HEO must:

1. Make contact with the Home Office responsible officer in advance of the report being dispatched and alert them that a rule 32 (RHR) report is about to be forwarded and to confirm ownership and contact details. (If the responsible officer cannot be established after reasonable attempts, the assistant director (AD) or deputy director (DD) in the unit must be contacted. The AD or DD must identify a responsible officer within an hour or complete the due Rule 32 (RHR) actions themselves.)
2. Forward the rule 32 (RHR) report to the individual's Home Office responsible officer and the residential holding room manager as soon as practicably possible. The report must be sent by email together with the Rule 32 (RHR report).
3. Confirm receipt of the report.
4. Update the ECMT log with the name of the responsible officer, date and time. This should additionally be recorded on CID or Atlas.
5. Forward a copy of the rule 32 report to the individual's legal representative (where a legal representative is recorded on the file).

If a decision is not received from the Home Office responsible officer within 24 hours, the ECMT duty HEO must escalate the matter to the appropriate caseworking AD or DD to resolve without delay.

When a decision has been received from the Home Office responsible officer, the ECMT duty HEO must send a copy of the response to the residential holding room manager and the healthcare professional who must confirm they have received and are aware of the decision made by the responsible officer.

If the healthcare professional feels that their concerns, as outlined in the rule 32 report, have not been properly addressed, they should escalate this through the ECMT duty HEO.

In some cases, the Home Office responsible officer may respond that the rule 32 (RHR) report contains insufficient content to understand the medical concern and meaningful consideration of the report is not possible. In such circumstances:

1. The responsible officer will immediately inform the ECMT duty HEO of this circumstance by phone.
2. On receipt of this phone call, the ECMT duty HEO must, as soon as is practicably possible, request sufficient information from the healthcare professional for meaningful consideration of the report to be possible.
3. The ECMT duty HEO must then forward this additional information to the responsible officer as soon as is practicably possible.

4. The response timescales and process will apply once a report with meaningful content has been received.

The ECMT duty HEO must ensure that accurate records of Rule 32 (RHR) report activity are maintained in respect of every case. These records must be compiled and submitted according to a centrally determined format, standard and timescale.

Actions by the residential holding room manager

The residential holding room manager must be made aware of a Rule 32(RHR) report, and the decision that is made by the responsible officer in response to that report. The ECMT duty HEO will forward the report and decision to the residential holding room manager.

If the individual has been transferred from the residential holding room to an IRC, the residential holding room manager must notify the Escorting Contract Monitoring Team (ECMT) without delay, who must forward the report to that centre's Home Office DET for action, and update Atlas. (In such circumstances, detention should be reviewed as soon as practicable on receipt from the other removal centre.)

Actions by Home Office responsible officers

A Rule 32 (RHR) report must be considered and detention reviewed in line with the guidance in Adults at risk in immigration detention. These actions must be carried out as soon as possible.

Responsible officers must review the detention of the individual as soon as practicable after accepting receipt of the Rule 32 (RHR) report. The detention review must:

- engage with the concerns raised by the healthcare professional in accordance with the guidance in Adults at risk in immigration detention
- where detention is being maintained, set out clearly the reasons in the detention review
- where detention is not being maintained, grant bail and release the individual as soon as practicable

On receipt of a Rule 32 (RHR) report, the responsible officer must review it to consider the following points:

- if the healthcare professional clearly states that the report reflects a repeated claim or assertion rather than a reasoned medical concern (the practitioner or nurse is entitled to do this), the report must be considered although it will likely carry less weight as a consequence
- if the report states that it raises a medical concern but contains insufficient content to understand the medical concern, meaningful consideration of the report will not be possible (such a view must not be reached lightly) - in such cases, telephone the ECMT duty HEO immediately and ask them to obtain sufficient information from the healthcare professional for meaningful consideration, and to repeat the issuing process.

Note: It is important that STHF Rule 32 (RHR) reports are not rejected by the caseworker considering them because they have been completed by a nurse, rather than a doctor.

When a report capable of response has been received, in 'Manage detention' on Atlas, select 'Receive a Rule 35/32 Report' and enter the relevant information into the service.

Responsible officers must take prompt action to release the person, if appropriate. Where there are additional unit or directorate specific requirements as regards to obtaining management approval for releases, or for notifying releases, these must be followed.

Every Rule 32 (RHR) report must generate a review of detention by the responsible officer.

Please note that, due to the immediate risk to health, the review of detention for a person where a Rule 32 (RHR) report has been submitted must be undertaken as soon as practicable.

It is vital that where a decision has been made to maintain detention, the review is recorded on a Detention and Case Progression Review Form (DCPR) and uploaded onto Atlas, to allow for review and audit. Senior executive officer (SEO) or Her Majesty's inspector (HMI) clearance must be obtained for the decision. A summary of the decision to maintain detention or release, must be sent by fax or email to the ECMT Duty HEO to be conveyed to the residential holding room manager. Confirmation of receipt should be collected and attached to the file, minuting the file accordingly.

To close the action the responsible officer must:

1. Telephone the ECMT duty HEO to confirm they have received the decision.
2. In manage detention on Atlas, select 'Respond to a Rule 35/32 Report' and record the outcome of the detention review.
3. (Note that if the person is due to be released for reasons unconnected to the Rule 32 (RHR) report it will be necessary to close the Rule 32 case type as 'Detention Maintained', before effecting release, clearly explaining on the record the reasons for release. This ensures that the release will not be wrongly attributed to rule 32 reasons.)
4. Update Atlas file minutes to record the time and name of the ECMT duty HEO who has confirmed receipt.
5. If the Rule 32 (RHR) report discloses information relevant to the consideration of any asylum and/or human rights case, ensure appropriate action is taken – taking steps to clarify the person's intentions if they have not already claimed asylum or, if they have, considering the evidence as part of the asylum claim or appeal, or (where appropriate) as part of the person's further representations.

Reports from third parties

Residential holding rooms may occasionally receive reports from third parties about an individual's health. Such reports generated by individuals who do not work in a residential holding room, fall outside the terms of this guidance.

However, as a matter of best practice, reports about an individual's health and well-being where capable of engaging STHF rule 32 (RHR), must be brought to the attention of the healthcare professional immediately and to the Home Office responsible officer for review.

It will be for the Home Office responsible officer to consider such reports in line with the guidance in Adults at risk in immigration detention policy. Separately, the healthcare professional must review the individual's case in light of the third-party report and decide whether or not to make a Rule 32 (RHR) report.

Related content

[Contents](#)

Rule 32 (RHR) report

Rule 32 (RHR) report – where there is an immediate risk to a detained person’s health.

Section 1: Detained person’s details

Forename(s):	
Surname:	
Date of Birth:	
Home Office reference number:	
Residential Holding Room:	

Section 2: Medical practitioner’s/Registered nurse’s (delete as appropriate) report

(Please read the notes at the end of this form).

I write in respect of the detained person named above in my capacity as a residential holding room healthcare professional. I hereby report that in my view there is an immediate risk to this person’s health.

Section 3: Relevant clinical information

1. What is the immediate risk to the person's health? Please include as much detail as possible to aid in the consideration of this report. This must include an outline of the person's relevant physical and/or mental health condition(s).
2. Please state any arrangements made for supervision, care or transfer to hospital that are necessary.
3. Are there any special considerations with regards to their medical condition that need to be taken into account if the person were to be released from immigration detention? Can they travel independently to a release address?

Other comments:

Section 4: Signature

Signed:.....

Printed name:.....

Position and qualifications:
.....

Date.....

If other healthcare professionals have supported you in examining the detained person and/or in producing this report their details must be given below:

Signed:.....

Printed name:.....

Position and qualifications:
.....

Date.....

Signed:.....

Printed name:.....

Position and qualifications:
.....

Date.....

Notes: for the healthcare professional

Your report must be completed legibly, with all questions being completed fully. Consideration of the report will be delayed if Home Office officials have to return the report to you to seek clarification.

If the Home Office requests clarification of any point in this report, this must be provided promptly.

Once completed this report must be provided to the ECMT duty HEO electronically.

A signed copy of this report must be placed on the person's medical record and another signed copy provided to the person free of charge.

Notes: for the Home Office caseworker

You must consider this report in line with the guidance and instructions in:

- [The Short-Term Holding Facility Rules 2018](#)
- [The Short-Term Holding Facility Rules \(Amendment\) Rules 2022](#)
- [Guidance on the Short-term Holding Facility Rules 2018 as amended by the STHF \(Amendment\) Rules 2022](#)
- Adults at risk in immigration detention policy guidance

Email header page



Home Office

To:	[Name of confirmed officer]
Cc:	
Fax number/email address:	[Confirmed fax number/email address]
From:	[Name of RHR Manager]
RHR:	
Telephone number/email address:	
Date:	
Detained person's name:	
HO reference no:	
Pages:	

Short-Term Holding Facility (Amendment) Rules 2022 - Rule 32 (RHR) Report where there is an immediate risk to a detained person's health.

Dear [Name of confirmed officer]

I am attaching a copy of a report which has been provided by the healthcare professional at this centre/short-term holding facility in accordance with Rule 32 (RHR) of the Short-term Holding Facility (Amendment) Rules 2022.

In accordance with the **Short-Term Holding Facility (Amendment) Rules 2022** and the [guidance on the application of the Rule 32 process as it applies in residential holding rooms](#) would you please:

- ensure that you have read and understood the relevant instructions for handling Rule 32 (RHR) Short-Term Holding Facility (Amendment) Rules 2022 reports as set out in this guidance and the Adults at risk in immigration detention policy guidance
- immediately review the decision to detain the person in light of the content of the rule 32 report
- email back, providing the outcome of the detention review decision

Yours sincerely,
[Name of HO RHR Manager]