

FAO: HM Senior Coroner Lydia Brown
West London Coroner's Court
25 Bagleys Lane
London
SW6 2QA

Sent by email only to: [REDACTED]

10 January 2025

Dear Sir / Madam,

INQUEST TOUCHING THE DEATH OF MR FRANK OSPINA – REGULATION 28 REPORT TO PREVENT FUTURE DEATHS

Further to the letter provided to His Majesty's Senior Coroner Lydia Brown ("**the Coroner**") on behalf of Mitie Care and Custody Limited ("**C&C**" / "**the Company**") dated 11 October 2024, we have been provided with a copy of the Coroner's Regulation 28 Report to Prevent Future Deaths dated 25 October 2024 ("**the PFD Report**").

Within the PFD Report, the Coroner has identified two concerns in relation to C&C, set out here for ease of reference:

1. *"Visits. The inquest was advised that Frank Ospina's mother visited him in the Heathrow Immigration Removal Centre ("**HIRC**") on one occasion, and that was conducted as a "closed" visit. Her son was accompanied by 2 Officers and their meeting held behind a glass screen where no physical contact was possible. The Officers were overhearing the family conversation and making notes.*

MITIE who are responsible for the day to day running of the IRC were unaware that a "closed" visit had occurred and apologised for this, confirming it was inappropriate and Frank Ospina and his mother should have been allowed to meet in the usual communal area where they could have embraced and had a private conversation. This was the last time Frank Ospina was seen alive by his mother and the visit greatly distressed her;

2. *Frank's mother does not speak English and found it very difficult to arrange a visit. In fact rather than successfully navigate the system, she just turned up and was permitted to see her son as set out above. Telephone calls were not facilitated with an interpreter. The website where visits should be booked is entirely and only in English. This is a facility that by definition detains foreign nationals and predictably some of the family members do not speak English. A quick check of the local authority website (Hammersmith and Fulham) revealed a full immediate translation facility into over 100 languages, and so this is readily available technology. The Home Office and MITIE should consider the communications currently available to relatives trying to visit their loved ones and whether these can be improved by reasonable adjustments”.*

Since the conclusion of the Inquest, the Company has taken the opportunity to reflect on what further changes can be made to the visitor and translation arrangements at HIRC in order to ensure its safe and effective operation. We provide the following updates which should be read alongside our letter dated 11 October 2024 from [REDACTED] Centre Director for HIRC.

Within this response to the PFD Report, we will refer to each of the Coroner's concerns in turn.

Visits

The Company would like to reiterate the apology provided during the Inquest to Mr Ospina's family within this response. The closed visit which took place on 22 March 2023 between Mr Ospina and his mother was inappropriate.

As confirmed by [REDACTED] and [REDACTED] during the Inquest, in March 2023 there was a clear policy in place in relation to closed visits, in accordance with the requirements of Detention Services Order 04/12, 'Visitors and Visiting Procedures' ("DSO 04/12"). A number of administrative steps and safeguards were required before a closed visit could be authorised. In light of Mr Ospina's case the Company has reviewed its policies and procedures in relation to closed visits within HIRC to ensure that such a situation cannot arise again.

A Notice to Staff was issued to all C&C staff at HIRC in relation to closed visits on 28 November 2024 (see **Appendix 1**). The Notice to Staff confirmed that placing a resident on closed visits can only be approved by the Head of Security, or the Duty Director in their absence. The Head of Security and/or Duty Director will then inform the Home Office Compliance and Detention Engagement Team of the closed visit, in accordance with the requirements of DSO 04/12. The

Notice to Staff also reminds officers that if they have any queries as to whether or not a resident has been placed on closed visits, they must check this with the Security team.

When a resident is placed under closed visits, this will be explained to them, utilising the Big Word translation service where required. Any risks to a resident's wellbeing will be monitored and reported by staff and the suitability of closed visit status kept under review by the security team. Likewise, staff have been reminded to explain to visitors how a closed visit will take place and answer any questions they may have courteously, to provide them with reassurance and an optimal experience. If a resident is also under an Assessment Care in Detention and Teamwork status ("ACDT"), as was in the case of Mr Ospina, staff will now explain to the visitor why there will be additional staff present in order to maintain their ACDT observations. Staff can also use the Big Word translation service with visitors on their arrival and in the visitor's centre.

By way of further control measures: if a resident is placed on closed visits then this will be identified on the scrolling bar of their electronic Detainee Management System profile, to which all staff members have secure access to; a list of residents on closed visits is circulated weekly by the Company's security team; which is in turn provided to the visitor's centre reception team and each visits hall to ensure that all staff are aware of residents allocated to closed visits. The security team will circulate an updated list should that information change during the week, and they will also confirm if no residents are subject to closed visits, ensuring that staff have accurate and up to date information on who is subject to a closed visit at all times.

Signs have also been placed on the door to the closed visit rooms, and in the reception of the visitor's centre of HIRC as a reminder to staff that closed visit rooms are only to be used if a resident has an approved closed visits form on their file (see **Appendix 2**). We considered placing coded locks on the closed visit room doors, however this may create a fire evacuation risk for visitors and residents in the event of an emergency, and secondly, whilst closed visits are put in place to prevent security breaches, adding a lock to the door would make the room more formal and potentially intimidating for visitors and residents. For these reasons the closed visit rooms will remain unlocked.

In order to further ensure that closed visits do not take place without the required authorisation, the Company will include audits of closed visits within its audit programme which ensures compliance with DSO 04/12, and managers will carry out spot checks to ensure compliance with these requirements and for quality assurance.

Translation Services

The Company has worked with the Home Office to identify what reasonable adjustments may be made to its systems in order to make the process of visiting HIRC more accessible. As confirmed at the Inquest by Frances Hardy, Director of Detention Services for the Home Office, whilst all efforts are made to accommodate visitors whose first language is not English, such as utilising a member of staff who also speaks the same language and the Big Word translation service, there is currently no known system which would act as an in-call two-way translation service between those inside and outside of HIRC. The preferred method of communicating information or submitting a visit request is therefore by email, as this can be translated where required, and details on how to contact HIRC (including details of the Safer Community Helpline) is set out clearly on the Company's website.

In terms of website translation services, C&C has now implemented a website translation and accessibility service called 'Recite' for use by visitors across each of its immigration removal centres, including HIRC. As such, there is now an accessibility button on the bottom right-hand side of each page of the Company's website, which provides multiple options including the translation of all web content into 100 written languages and 65 'text to speech' voices. Users are also able to utilise the 'Recite' function in order to customise the text to their preference, including colour, font style, spacing and layout. The Recite function is available across the entire mitie.com website.

We have included a screenshot of the mitie.com IRC Visitors website below, with the 'Recite' function and its associated tools highlighted in purple boxes:

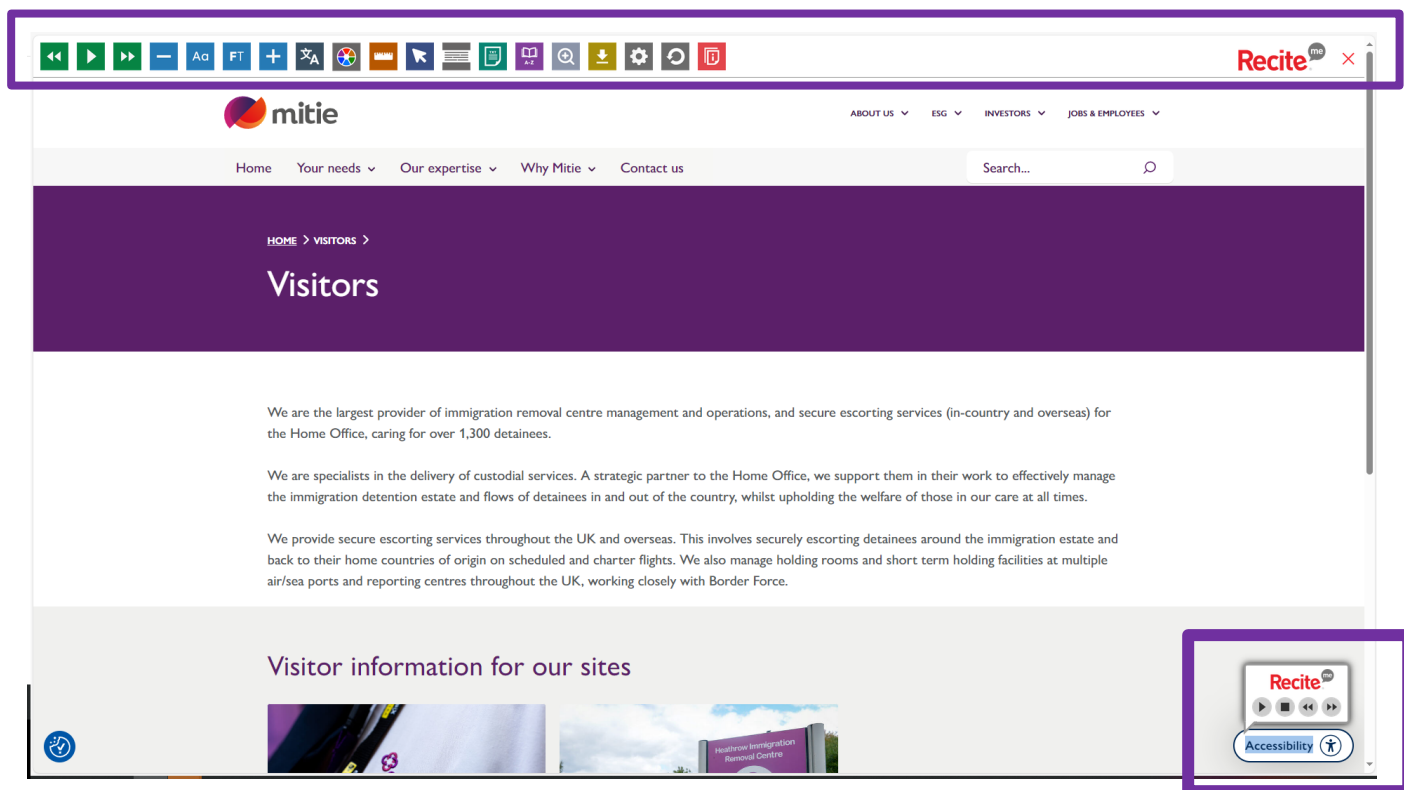


Figure 1- Mitie Care and Custody Limited visitor website- <https://www.mitie.com/visitors/>

It is hoped that the above information, together with the improvements set out in our first letter dated 11 October 2024, is of assistance to the Coroner and demonstrates our commitment to providing safe and decent facilities for those in our care and their visitors. We take these matters seriously and we hope this response provides both the Coroner and Mr Ospina’s family with the reassurance that these matters have been given prompt and thorough consideration. If we can be of any further assistance, please do not hesitate to contact me on the details below.

Yours faithfully,



Managing Director for Immigration & Justice - Mitie Care & Custody Limited

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Appendix 1 – Notice to Staff

Appendix 2 – Closed Visits Door/Reception Signage Poster