



INDEPENDENT MONITORING BOARD

for

THE GLASGOW & EDINBURGH SHORT TERM HOLDING FACILITIES

ANNUAL REPORT

for the second operational year

1ST FEBRUARY 2011 to 31 JANUARY 2012

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1. The Role of the IMB

1.1 The Glasgow & Edinburgh Independent Monitoring Board (IMB) although based in Scotland, is appointed by and has a duty to report to the Home Office Immigration Minister as immigration is reserved to Westminster.

1.2 The duties of IMBs appointed to monitor Short Term Holding Facilities are not yet laid down in statute but the general principles of independent monitoring apply as they have been developed in Immigration Removal Centres (IRCs) and prisons.

1.3 Fundamentally, the role of the IMB is to monitor the welfare of those in detention by observing their treatment and the environment in which they are detained. Members have unrestricted access to all detainees and to all designated Immigration Facilities. They are free to make unannounced visits and to speak in private to any detainee in custody (where it is deemed safe to do so). They do not become involved in the immigration status of those in detention unless there are reasons to doubt the legal continued detention of individuals.

1.4 A visits rota of the 8 members of the IMB has been established for each of the three Facilities and intimated to each of the United Kingdom Border Agency (UKBA) and G4S, subsequently Reliance, who operate the Facilities under contract from UKBA. Currently four members visit Glasgow Airport and the Reporting Centre and the other four Edinburgh Airport. They will each make at least one visit during their rota week. Members of each group are expected to visit the Facilities monitored by the other group at least once a year.

1.5 During visits members pay attention to the interaction between staff and detainees, the environment in which detainees are held, the manner in which staff handle situations, the maintenance of satisfactory records about the detention and the provision of services such as food and healthcare available to detainees. They also monitor removals from the Facilities at airports, through the boarding gates and across the apron to the steps of an aircraft, and the manner in which they are conducted. They may also monitor custody vehicles and are empowered to accompany detainees to the IRC at Dungavel or to police custody suites if they consider that to be necessary or desirable.

1.6 Members will respond to serious incidents arising at the Facilities.

2. Glasgow Airport

2.1 Overview:

2.1.1 The Holding Room area is situated airside adjacent to the Immigration Control desks at International Arrivals, on the floor below the Immigration Officers' suite. It consists of a small staff area manned by two Detainee Custody Officers (DCOs), two interview rooms, the Holding Room proper, and a single male and female (shared) toilet of generous size with adjacent washroom facilities. Prior to May 2011 the Holding Room was operated by G4S. In May 2011 the contract was awarded to Reliance Custodial Services ("Reliance"). The DCOs formerly employed by G4S transferred to Reliance under the TUPE Regulations. DCOs are on duty daily from 08.00 until 20.00 hrs. Detainees are not kept in the Holding Room overnight. If they are not landed (conditionally or unconditionally) they will be transferred to Dungavel IRC or to a police custody suite or may be removed on a return flight the same day.

2.1.2 There is a drinks machine (hot and cold drinks) and microwave oven in the area and a land telephone is available for use by detainees. Mobile phones may be used by detainees if they do not contain a camera. If they do, the DCOs can provide a "house" mobile into which the detainee can insert his or her own sim card.

2.1.3 There is no natural light in the Holding Room area and detainees have no access to fresh air. They are not permitted to smoke. There are no showers or beds although blankets, pillows and towels can be provided.

2.1.4 Seating is reasonably comfortable and there is reading material in various languages for both adults and children, including The Bible and the Koran. A prayer mat can be provided on request.

2.2 Operational experience & detainee numbers:

2.2.1 The IMB is pleased to record that detainees are respectfully and efficiently looked after both by UKBA and G4S/Reliance staff. The DCOs are professional and friendly, an attitude which helps generate a relaxed atmosphere, albeit some detainees are naturally anxious and distressed. Whenever members have had questions for UKBA and G4S/Reliance the staff have invariably responded quickly and positively. There have been no complaints from detainees against any UKBA staff or G4S/Reliance DCOs.

2.2.2 Members of the IMB speak to detainees to explain their role and the feedback has invariably been positive so far as detainees' treatment and welfare is concerned.

2.2.3 The number of detainees held in the Holding Room in the period covered by this Report is shown in the Statistics (Section 7).

2.3 Issues:

2.3.1 Male & female DCOs – see Issues in Common (Section 5)

2.3.2 Notice about IMB – see issues in Common (Section 5)

2.3.4 Incomplete or unissued IS 91s – see Issues in Common (Section 5)

2.3.5 Legal advice notices – see Issues in Common (Section 5)

2.3.6 Heating: There were temperature control problems with the heating system in November which brought complaints from detainees. The matter was dealt with urgently and successfully.

2.4 HMIP Inspection:

2.4.1 HMIP made an unannounced inspection of the Holding Room on 7 September 2011. The Inspector did not inform or consult the IMB in advance but did so after the event in a phone call to the Chairman when he was asked to share any IMB concerns. The Inspector's draft Report was sent to the Chairman to check for its factual accuracy and the Chairman responded, proposing one small change. The Report was later published. It can be found on the Ministry of Justice website.

3. Edinburgh Airport

3.1 Overview:

3.1.1 The Holding Room is located adjacent to International Arrivals in a suite below the Immigration Officers' office. It is manned by two G4S/Reliance DCOs from midday until midnight daily. Like the one at Glasgow Airport it is a non-residential Facility.

3.1.2 The Holding Room area consists of a spacious control room occupied by the DCOs with an observation window into the main Holding Room. An unlocked door from that room leads into a second, much smaller, room which is used as a family room for adults with children. Both rooms are provided with a TV and extensive reading material in various languages, including the Bible and Koran. The smaller room has a baby-changing table which folds against the wall and toys and books for children. G4S/Reliance have provided information booklets currently in 11 languages.

3.1.3 Reliance, since they took over the detention contract, have, been moving away from keeping paper records. They are steadily progressing towards keeping all their records on computer. The IMB has access to all records, whether on paper or on computer.

3.1.4 There are two cubicles adjacent to the Holding Room where detainees are searched and a lockable cupboard for their property.

3.1.5 There are separate male and female toilets both accessed from within the main Holding Room. The toilets themselves are very modern and up to date but neither contains a shower. Disabled detainees in wheelchairs can access the staff toilet in the control room.

3.1.6 Neither of the two Rooms has a bed although it is possible to lie along the bench seating beside the tables. Blankets and pillows are available if requested.

3.1.7 There is a drinks machine and microwave cooker. Hot and cold food is provided in the form of dry packs and meal packs. If a detainee wants food of a type which is not stocked the DCOs will go landside and purchase it at G4S/Reliance expense.

3.1.8 Although in the original planning a few years ago the new Holding Room was to have had natural light that part of the plan was not implemented, so although the Rooms are bright there is no natural light. Detainees have no access to fresh air and they are not permitted to smoke. The whole area is well ventilated, artificially, with trunked heating and air conditioning.

3.1.9 A CCTV system covers the whole area and monitor screens are located in the DCOs' control room.

3.1.10 The Rooms are cleaned daily by contractors and are kept very clean and tidy.

3.1.11 A corridor separates the Holding Room from two UKBA interview rooms and a fingerprint room. One of the interview rooms contains a phone from which access to interpreters can be obtained using the Big Word system.

3.2 Operational experience & detainee numbers:

3.2.1 The members' general experience at Edinburgh Airport is similar to that at Glasgow Airport (Section 2.2.1 and 2.2.2 above) and need not be repeated here.

3.2.2 The number of detainees held in the Holding Room in the period covered by this Report is shown in the Statistics (Section 7).

3.3 Issues:

3.3.1 Male & female DCOs – see Issues in Common (Section 5)

3.3.2 Notice about IMB – see Issues in Common (Section 5)

3.3.3 Incomplete IS 91s – see Issues in Common (Section 5)

3.3.4 Legal advice notices – see Issues in Common (Section 5)

3.3.5 Late night transport: On several occasions during the period families were kept overnight in a Holding Room which is not designed for overnight accommodation (it has no beds but does have a travel cot) and which is not contracted to be manned after midnight. One family with young children, seeking asylum, were temporarily admitted by Immigration Officers and were to be taken to the YMCA hostel in Glasgow, some 45 miles away. The UKBA contractor, Transport Plus, could not send a vehicle from Glasgow because it was out of hours and the alternative was to send a vehicle from their main depot in Liverpool, four hours away. The family was transferred the following morning, having been supported during the night by a DC Manager who demonstrated exemplary concern for their welfare. UKBA subsequently accepted that it would be more sensible, and cheaper, to transport such families by local taxi.

3.3.6 Unlocked doors: In our last Annual Report we observed that a number of doors on the access route between the Immigration Officers' control desks and the Holding Room had been left open and/or the electronic lock was faulty. In

particular the first door in the sequence was flimsy and sometimes not capable of being or staying locked. The door is still unreliable, sometimes having not been closed properly and therefore left open and sometimes being difficult to open when the Proximity Pass is not recognised. We renew our recommendation that the flimsy door (and lock) be replaced by something more robust and substantial.

3.3.7 Meal packs: We are pleased to acknowledge that the hot meal packs introduced by Reliance are a great improvement on what was previously on offer. We have tasted some of the meals and whilst we do not expect haute cuisine we were a little alarmed to read on one of the packs that the single pack contained 95% of the Recommended Daily Allowance of salt. This is also applicable to Glasgow Airport and Festival Court.

3.3.8 Fire extinguishers: Both of the fire extinguishers in the Holding Room are out of date and should have been serviced in November 2011. This would appear to pose a substantial health and safety risk.

4. The Reporting Centre, Festival Court, Glasgow

4.1 Overview:

4.1.1 The Holding Room is located in Building No 2 of a complex of three modern buildings occupied by UKBA at Festival Court, Brand Street, Ibrox, Glasgow. The Reporting Centre is where persons who have been temporarily admitted to the UK and are resident in Scotland are required to report periodically. Some of them are asylum seekers awaiting decisions about their status. The Holding Room is used to detain persons who are called to the Reporting Centre for removal from the UK, are taken there after enforcement visits or who may be brought to the Reporting Centre from Dungavel IRC for interview. Members of the IMB gain access to the Holding Room after first entering the complex by Building No 1 where they pick up a Proximity Pass at Reception which allows them to pass through the buildings.

4.1.2 The Holding Room area consists of a control room occupied by two G4S/Reliance DCOs on one side of which there is an observation window overlooking the Holding Room itself. The Holding Room is manned from 09.00 until 17.00 Monday to Friday. It is a non-residential Facility.

4.1.3 There is no drinks machine but hot drinks can be provided using a kettle and there are cartons of cold water in the fridge. There is stock of snacks and meals. A microwave oven enables meals to be heated. The TV set in the Holding Room is controlled by the DCOs from outside the Holding Room.

4.1.4 The Holding Room itself is quite small. It contains 6 hard individual plastic seats fixed to the floor close to a table. The room contains two toilets which are cubicles in each corner of the back of the Room, one male and one female. As noted in our last Annual Report UKBA undertook substantial improvements to the accommodation, including toilets, during the period covered by this Report. Whereas formerly there was no where for a detainee to lie down a soft bench has now been placed at the rear of the room, making it possible for one detainee to lie down but, unfortunately, it is too short for anyone who is taller than medium height. The toilet arrangement, whilst greatly improved by extending the doors and partitioning, is still less than ideal as the bowls have no seats and are made of metal, providing no noise insulation. This is not a dignified solution. There is a baby changing table, and magazines in various languages are on hand. A prayer mat is available on request.

4.1.5 Like the two other Holding Rooms which the IMB monitors there is no fresh air and smoking is not permitted. There is no natural light.

4.2 Operational experience & detainee numbers:

4.2.1 The members' general experience at Festival Court is similar to that at Glasgow Airport (Section 2.2.1 and 2.2.2) and need not be repeated here.

4.2.2 The number of detainees held in the Holding Room in the period covered by this Report is shown in the Statistics (Section 8).

4.3 Issues:

4.3.1 Male & female DCOs – see Issues in Common (Section 5)

4.3.2 Notice about IMB – see Issues in Common (Section 5)

4.3.3 Incomplete IS 91s – see Issues in Common (Section 5)

4.3.4 Legal advice notices – see Issues in Common (Section 5)

4.3.4 The Holding Room facilities – see 4.1.4 above

4.4 HMIP Inspection:

4.4.1 HMIP made an unannounced inspection of the Holding Room on 6 September 2011. The Inspector did not inform or consult the IMB in advance but did so after the event in a phone call to the Chairman when he was asked to share any IMB concerns. The Inspector's draft Report was sent to the Chairman to check for its factual accuracy and the Chairman responded, proposing one small change. The Report was later published. It can be found on the Ministry of Justice website.

5. Issues common to the three Holding Rooms

5.2 Male & female DCOs: Normally there is a male and female DCO on duty in the Holding Rooms but there have been quite a number of occasions during the reporting period when the two DCOs have been of the same sex, making a full search of a detainee of the opposite sex impossible. Where that has occurred the search by DCOs will either be relatively superficial using an electronic wand or assistance may have to be sought from UKBA Immigration Officers who are not obliged to provide it or will have to be obtained from the control centre at Cambuslang which will arrange to provide a DCO of the same sex as the detainee to carry out a full search. That inevitably results in a considerable delay in dealing with the detainee as Cambuslang is an hour's driving distance from Edinburgh Airport, less from the two Holding Rooms in Glasgow. Thus a detainee may be kept in custody for longer than may otherwise be necessary. This concern was highlighted in our last Annual Report and accepted in principle in the subsequent Action Plan approved by the Minister (see Section 6). We understand that Reliance do not currently have many female DCOs, have not carried out any recruitment since they took over the detention contract and that there is in any event some difficulty in engaging female DCOs to work at Edinburgh Airport as most of them live in the west of Scotland.

5.2 IMB Notice: There is a contractual obligation to display a notice in each Holding Room drawing to detainees' attention to the existence and role of the IMB. The IMB has approved the text of the Notice which it wants to be displayed but for reasons which are not clear the approved notices have not been received although the Secretariat say that this is now in hand.

5.3 Incomplete and unissued IS91s: These forms, filled out by Immigration Officers (IOs) and issued to the detention contractor's DCOs, are the warrant from UKBA to detain a person in the Holding Room. On many occasions during the reporting period IMB members inspecting the forms found that part of the form where Risk Factors should be noted (or not, if there are none) had not been completed. The IMB has raised the issue repeatedly and been told that appropriate instructions have been given to IOs but the problem persists. On one such occasion the DCOs on making their own checks ascertained that a detainee was taking high blood pressure medication. On two occasions detainees were interviewed in the Holding Room at Glasgow Airport without an IS 91 having been issued.

5.4 Legal advice notices: We observed in our last Annual Report that whereas there was a notice in the designated languages informing detainees where they could seek legal advice only a phone number in England was indicated and we recommended that it would be helpful if the phone number(s) of Scottish immigration lawyers could be displayed. In the Action Plan issued subsequently our recommendation was accepted "in part" on the basis that as not all detainees who may seek legal advice will remain in Scotland it was appropriate to identify national

contacts. Albeit immigration law covers the whole UK nevertheless detainees in Scotland may wish to obtain local advice and we renew our recommendation. We should mention that notices from the Office of the Immigration Services Commission (OISC) have recently been posted in the Holding Rooms but these do not address our recommendation.

6. Other matters

6.1 The Short Term Holding Facilities Rules: The IMB was informed in March 2010 that Rules would be issued by UKBA later that year, a draft having been circulated during 2009 (before the IMB was established). That did not happen. Rules were then promised for later in 2011. They have still not been issued and are long overdue.

6.2 The 2011 Action Plan: The IMB made a number of recommendations in its last Annual Report and the Action Plan approved by the Minister addressed these as follows –

- (a) Smoking: we recommended that detainees should be permitted to smoke. This was rejected as it is Home Office policy that smoking is not permitted on Home Office property.
- (b) Access to fresh air: we recommended that detainees should have access to fresh air. This was accepted in principle but is impractical as there are no secure areas where access could be provided.
- (c) Notices in foreign languages: we recommended that notices be displayed in Spanish & Portuguese. This was accepted “in part” and has in fact been implemented.
- (d) IS 81s & IS 91s: we recommended that the forms be available in the designated languages. This was rejected on the basis that detainees can have the grounds for detention explained by an interpreter.
- (e) Male & female DCOs: see above at para 5.1

6.3 Clerk to the GaE Board

The Clerk to the Board, a member of the IMB Secretariat, resigned virtually without notice in April 2011 and we were left without a clerk or any significant support from the Secretariat for 4 months. The Secretariat said that under the terms of the MoU with UKBA it was a matter which should be resolved by UKBA. A clerk was appointed in September on a basis which the Board found to be unacceptable since she was not to be permitted to attend our meetings but would carry out her duties remotely. After further discussions with a senior manager in UKBA it was eventually agreed that the clerk would come to all the meetings. The particular clerk is extremely helpful and professional and serves us very efficiently.

7. Statistics

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| 7.1 Members at the start of the reporting period | 8 |
| 7.2 Members at the close of the reporting period | 8 |
| 7.3 Board meetings held | 12 |
| 7.4 Member attendances at Board meetings | 80 |
| 7.5 Visits to Glasgow Airport | 52 |
| 7.6 Visits to Edinburgh Airport | 62 |
| 7.7 Visits to Festival Court | 50 |

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| 7.8 Detainee movements at Glasgow Airport | 274 |
| 7.9 Detainee movements at Edinburgh Airport | 267 |
| 7.10 Detainee movements at Festival Court | 158 |

8. Summary

8.1 This is the second Annual Report of the Board which was established at the end of 2009. We have now been operational for over two years. We have highlighted some issues and made some recommendations but we continue to find both UKBA and G4S/Reliance to be committed to the welfare of the detainees held in custody in the Holding Rooms. As we noted in our last Annual Report the Rooms are well and professionally managed by caring DCOs: and we continue to have full, if sometimes belated, co-operation from UKBA and G4S/Reliance at all levels. We again thank them for that.

Bruce Logan
Chairman, IMB for the Glasgow & Edinburgh Short Term Holding Facilities

May 2012