

Report on an unannounced full follow-up
inspection of the non-residential short-
term holding facility at:

Edinburgh Airport

12 April 2010

by HM Chief Inspector of Prisons

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Printed and published by:
Her Majesty's Inspectorate of Prisons
1st Floor, Ashley House
Monck Street
London SW1P 2BQ
England

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Overview

Edinburgh is Scotland's busiest airport with over 9 million passengers in the year to February 2010. The short-term holding facility is managed by Group 4 Securicor (G4S) on behalf of the UK Border Agency (UKBA). Our last inspection took place shortly after the facility was opened in December 2007 and we found it to be wholly unfit for purpose. At this inspection, new holding areas had been built and conditions had significantly improved. The facility was used mainly for arriving passengers who were being questioned or had been refused permission to enter by UKBA staff. In the previous three months, 46 detentions had been recorded in the holding room logs. Some detainees were held on more than one occasion: the actual number of individuals detained was 32, including eight women and four children. Nearly all were held for less than eight hours and there was usually only one person in the holding room at a time. There were no detainees and no escort vehicles on the day of the inspection. An independent monitoring board had been formed and was conducting regular visits to the facility.

Inspected

12 April 2010

Last inspected

20 February 2008

Inspectors

Hindpal Singh Bhui

Colin Carroll

The healthy establishment summary

HE.1 The concept of a healthy prison was introduced in our thematic review *Suicide is Everyone's Concern* (1999). The healthy prison criteria have been modified to fit the inspection of short-term holding facilities, both residential and non-residential. The criteria for short-term holding facilities are:

Safety – detainees are held in safety and with due regard to the insecurity of their position

Respect – detainees are treated with respect for their human dignity and the circumstances of their detention

Activities – detainees are able to be occupied while they are in detention

Preparation for release – detainees are able to keep in contact with the outside world and are prepared for their release, transfer or removal.

HE.2 Inspectors kept fully in mind that although these were custodial facilities, detainees were not held because they had been charged with a criminal offence and had not been detained through judicial processes.

Safety

HE.3 Escorting duties were performed by dedicated staff at a nearby G4S depot and facility staff were no longer expected to leave the holding room for this purpose. Families were now transported in child-friendly vehicles. There had been no recorded use of force or handcuffs within the previous year.

HE.4 Detainee custody officers (DCOs) had a good view of the main holding room, and those parts of the family room which were not visible from the control room could be seen on CCTV. There had been no recorded instances of self-harm or bullying. Staff did not routinely carry ligature knives.

HE.5 Four children had been detained in the previous three months. Immigration staff were vigilant about child protection concerns and had received some training. DCOs had not yet received child protection training, although this was planned. Some legal telephone numbers were displayed in the holding rooms. The circumstances under which detainees could use the fax machine were unclear.

Respect

HE.6 A new facility had been built since the previous inspection and there were now two holding rooms. This allowed separation of single men, families and women, but women and children had to pass through the male holding area to reach the toilets. However, there was often only one person in the facility at a time. The holding rooms were clean and of adequate size. There were no showers. The baby changing facility was located in the family room, which was neither private nor hygienic.

HE.7 DCOs were experienced and showed concern for detainee welfare. Hot and cold snacks were available, but the microwave meals were unappealing. DCOs bought sandwiches and snacks from airport shops to accommodate different dietary requirements. Prayer mats, the Qur'an and a Bible were provided in the holding room. Complaint forms were freely available to detainees, but not in all appropriate languages.

Activities

HE.8 Detainees could watch television and handheld DVD players were available with a selection of DVDs. There were suitable toys and games for children, as well as children's DVDs. There were a number of books and magazines, but the range in foreign languages was limited. Detainees had no access to fresh air and could not smoke.

Preparation for release

HE.9 Detainees were able to use their own mobile telephones as long as they had no camera or recording equipment. They were routinely offered a free call on a landline. There was no payphone or internet access. Most of those detained were temporarily admitted or removed, and a number also went to Dungavel immigration removal centre.

Section 1: Progress on recommendations

Recommendations

to the escort contractor

Escorts, vans and transfers

- 1.1 **Children and families should be escorted in people carriers rather than standard escort vans. (1.6)**
Achieved. Suitable, child-friendly people carriers without cages were routinely used to transport families.
- 1.2 **Escort vehicles should provide a safe and relatively spacious environment for all detainees. (1.7)**
Partially achieved. The most commonly used escort vehicles were suitable for short journeys, but conditions were cramped, particularly for taller or larger detainees. Staff told us that the slightly protruding metal plates, which could have caught detainees' legs when getting on or off vehicles, had not been removed or modified.
We repeat the recommendation.
- 1.3 **Hygiene packs should be carried by escort staff. (1.10)**
Unable to inspect. No escort vehicles arrived at the facility during the inspection. However, we were told that hygiene packs, including products suitable for female detainees, were now routinely provided.
- 1.4 **Escort staff should be aware of child protection procedures. (1.11)**
Unable to inspect. No escort vehicles arrived during the inspection. However, facility staff, some of whom had previously undertaken escort duties, were aware of child protection responsibilities, although they could not remember receiving training (see child protection section).
- 1.5 **Escort staff should be aware of the administration of medication procedures. (1.12)**
Unable to inspect. No escort vehicles arrived at the facility during the inspection.

Additional information

- 1.6 The facility mainly held people detained from flights and few detainees at the facility would have experienced escorted journeys. Escort vehicles were no longer kept at the airport, but were sent from a depot at Cambuslang, a suburb of Glasgow.

Recommendations

to the facility contractor

Escorts, vans and transfers

- 1.7 **The holding areas should always be adequately staffed. (1.8)**

Achieved. There had been a separate escort team since 2008 and holding room staff were no longer required to undertake escort duties. There were always at least two staff in the facility.

1.8 Handovers should be thorough and recorded. (1.9)

Not achieved. We were told that handovers from escorts were not routinely recorded.
We repeat the recommendation.

Arrival and accommodation

1.9 The detention rooms should be decorated, refurbished and kept clean and the rebuild programme should be completed as soon as possible. (1.21)

Achieved. The previous detention facility had been unfit for purpose and a new one had been built shortly after the last inspection. It was clean, more welcoming and better decorated, and allowed for separation of men, women and families. It consisted of two adjoining rooms, the larger one for men. The main holding room had two rows of four fixed padded seats with tables between and a further two fixed chairs. Efforts had been made to decorate the smaller room to make it more welcoming for children. The room had six padded seats in two rows of three, with a table between and some beanbags for children to sit on. There was a variety of colourful posters and a small dry 'ball pool' for younger children to play in, which contained a number of plastic balls. A baby change shelf was located in the smaller holding room. This was neither private nor hygienic. Both rooms contained large televisions and bookcases (see activities section).

Further recommendation

1.10 The baby change shelf should be relocated to a private area, such as the toilets.

1.11 A range of notices and useful information in different languages should be displayed on the walls of the holding rooms. (1.22)

Partially achieved. The only translated information was the diversity policy statement, which was displayed in 11 languages on the walls of the main holding room. There were some posters with legal advice telephone numbers (see legal rights section). The translated G4S booklet about short-term holding facilities was freely available in both holding rooms, as was multilingual information about the prison and probation ombudsman.

We repeat the recommendation.

1.12 The facility should be supervised effectively and appropriately at all times. (1.23)

Achieved. The facility was adequately staffed (see 1.1). The whole of the larger room was directly visible from the staff area. CCTV cameras on the DCOs' desk allowed a clear view of all parts of the smaller holding room.

1.13 Detainees' property should be stored securely. (1.24)

Achieved. A new property storage area outside the holding rooms was secure and of adequate size.

1.14 The facility should have its own toilet and shower and hygiene and sanitary items should be freely available. (1.25)

Partially achieved. There were toilets for men and women in the main holding room and for those with disabilities in the staff area. Sanitary towels were freely available in the women's toilets. However, the design of the facility meant that women and families had to cross the main holding room to reach the toilets, which was not appropriate. Only a small number of women and families were detained and usually when there were no men in the other room, so

this had not proved problematic to date. There were still no showers and people detained after long flights were unable to have a thorough wash. The flush button on the women's toilets worked intermittently and staff reported that this had led to some embarrassment for detainees.

Further recommendation

- 1.15 Detainees should be able to have a shower.

Housekeeping point

- 1.16 The flush mechanism in the women's toilets should be repaired.

- 1.17 **G4S staff should be able to access the telephone triage service and airport medical facilities for the benefit of detainees. (1.26)**

Achieved. Details of the service were on the office wall and staff were aware of how to use it. They said there had been no need for them to do so in the previous year.

- 1.18 **Male and female detention custody officers should be on duty whenever men and women are detained. (1.27)**

Partially achieved. The staffing rota usually included men and women DCOs and a man and woman were on duty during the inspection. We were told that there were some occasions, such as staff illness, when the gender balance could not be guaranteed. However, replacement staff from the nearby Cambuslang depot were allocated accordingly.

Additional information

- 1.19 The facility was normally staffed from noon to midnight seven days a week. However, passengers were occasionally detained from early morning flights, in which case staff at Cambuslang arrived to supervise them. In the previous six months, one detainee had been detained for a total of 15 hours, which was the only recorded detention of over eight hours. He had arrived from Dungavel for a flight that he was unable to board because of a booking error. It had been considered unreasonable for him to return to Dungavel as there was a flight leaving early the following morning. Another detainee had been returned to the facility from Dungavel on three consecutive days for interview. He had been held there for over three hours on the first day, six hours the second and seven hours the day after. There was a stock of pillows and blankets for detainee use.

- 1.20 Occasionally UK Border Agency (UKBA) staff brought someone to the interview rooms adjacent to the holding rooms for further enquiries. We were told that immigration staff usually supervised them until the relevant paperwork had been completed, but that occasionally they were left in the interview rooms with G4S expected to 'keep an eye' on them. They were behind locked doors and effectively in a state of detention.

Further recommendation

- 1.21 The legal authority and practical implications for G4S staff of detaining people in the interview rooms should be clarified by the UKBA and G4S.

Positive relationships

- 1.22 **Staff should use the telephone interpreting service to communicate with detainees who speak little or no English. (1.29)**
Achieved. There had been 23 uses of the telephone interpreting service over the previous six months, which was reasonable given the throughput of detainees.

Additional information

- 1.23 DCOs were sympathetic to the situation of detainees and described their main role as safeguarding the welfare of detained people.

Legal rights and casework

- 1.24 **General information about legal rights, including how to apply for bail and how to find a competent, qualified legal representative, should be freely available to detainees in a range of common languages. (1.33)**
Partially achieved. Telephone numbers for the Law Society of Scotland and the Glasgow office of the Immigration Advisory Service were displayed in the holding rooms. Numbers for Refugee and Migrant Justice were also displayed, but this did not operate in Scotland. There was no information on how to apply for bail or the work of Bail for Immigration Detainees. There was no information about legal rights.

Further recommendation

- 1.25 Information on how to apply for bail and legal rights should be freely available to detainees in a range of common languages.

Housekeeping point

- 1.26 The notice with the Refugee and Migrant Justice telephone number should be removed.

- 1.27 **There should be routine recorded supervision of the holding rooms by senior immigration staff to check that conditions of detention are appropriate and that detainees are kept informed of progress. (1.34)**
Achieved. The duty chief immigration officer (CIO) visited and monitored the facility each day. The visits were logged in the CIO holding room visit log.
- 1.28 **Written reasons for detention should be issued in a language the detainee can understand. (1.35)**
Not achieved. Although immigration staff used interpretation to explain the reasons for detention, written reasons were issued in English only.
We repeat the recommendation.
- 1.29 **IS91 reasons for detention boxes should be completed. (1.36)**
Unable to inspect. As there were no detained people, we were unable to inspect IS91R forms.

Additional information

- 1.30 Holding room logs showed that the facility was normally used for short periods, mainly to accommodate passengers refused entry. DCOs reported that they passed documents to UKBA if a detainee needed access to a fax. This was not appropriate as detainees' communication with their legal representatives was privileged and confidential. The process for faxing documents was not explained to detainees.

Further recommendation

- 1.31 Detainees should be able to fax documents. The procedure for doing so should be displayed in the holding rooms. The documents should not be passed to the UKBA office.

Duty of care

- 1.32 **Staff should receive refresher training in the management of bullying and self-harm. (1.39)**
Not achieved. DCOs had not received training in anti-bullying or self-harm. There had been no recorded incidents of bullying or self injury in the previous six months.
We repeat the recommendation.
- 1.33 **Staff should always carry anti-ligature knives. (1.40)**
Not achieved. A single anti-ligature knife was located in the first aid box in the control room. One DCO carried a knife, but the others did not. This could have caused unnecessary delay in an emergency.
We repeat the recommendation.

Childcare and child protection

- 1.34 **All custodial staff should receive training in child protection. (1.44)**
Not achieved. DCOs had not received training in child protection. We were told that this was planned and imminent.
We repeat the recommendation.
- 1.35 **A local child protection policy should be produced in collaboration with the local safeguarding children board. This should incorporate agreed reporting procedures and establish formal links between the airport authorities and the local authority that allow relevant information to be shared regularly. (1.45)**
Partially achieved. G4S had not produced a child protection policy in collaboration with the local child protection committee. G4S were updating their national child protection policy which had not yet been published. While UKBA did not have a local child protection policy produced in collaboration with the local child protection committee, they had recently finalised a memorandum of understanding with Edinburgh social services children's department in order to safeguard children.

Further recommendation

- 1.36 G4S should complete and publish its national child protection policy.

Additional information

- 1.37 A named senior UKBA CIO was responsible for child protection work. A team of named immigration officers handled children's cases. All immigration officers had taken the Tier 1 e-learning module 'Keeping Children Safe'. The children's team had undergone enhanced training. We were told that the team were checked to Criminal Records Bureau (CRB) enhanced level. A spreadsheet was kept of unaccompanied children passing through the airport to monitor trends and patterns.
- 1.38 Four children had been held during the previous three months. Two were 17 years old and one 16. However, shortly before the inspection UKBA had stopped an unaccompanied 10 year old entering the UK to meet an aunt of different nationality. The child had never met the aunt and did not know what she looked like. UKBA interviewed the aunt, contacted the child's mother and ran background checks on the aunt. Only after UKBA were completely satisfied about the veracity of the relationship was the child granted entry. The overall management of this situation paid due regard to child protection. The child spent just over an hour in the holding area. He left the UK a few weeks later. UKBA attended quarterly children's meetings with social services, the police and representatives from the UK Human Trafficking Centre. All DCOs were checked to CRB enhanced level.
- 1.39 Nappies, baby wipes and sterile baby bottles were stored in the facility. Baby food was purchased from the airport as required. The baby change shelf was not private or hygienically sited (see arrival and accommodation).

Diversity

- 1.40 **Custodial staff should receive routine refresher training in race relations and the diversity policy and procedures. (1.48)**
Not achieved. G4S staff had not received refresher training in race relations or the diversity policy and procedures.
We repeat the recommendation.
- 1.41 **There should be an identified disabilities officer. (1.49)**
Partially achieved. There was no local identified disabilities officer, although G4S had a national disability officer of whom staff were aware. Details of disabled detainees were recorded on a form and forwarded to the disability officer.

Further recommendation

- 1.42 There should be a local disabilities officer.

Additional information

- 1.43 The toilet for disabled people was located in the control room and staff said that detainees with disabilities were given access as required.
- 1.44 A bible, Qur'an, prayer mat and religious books were freely available to detainees in the holding rooms. A compass for Muslim detainees was in the staff office.
- 1.45 Telephone interpretation was used regularly (see 1.21). Hindi, Mandarin and Portuguese were the most requested languages and calls in the previous six months ranged from six minutes to

1.5 hours. There was some translated information, books and magazines (see arrival and accommodation and activities sections).

Activities

- 1.46 **Detainees held for more than a few hours should have access to fresh air and somewhere to smoke. (1.52)**
Not achieved. There was no access to fresh air and smoking was not allowed.
We repeat the recommendation.
- 1.47 **The holding rooms should contain televisions and other distractions, including books and newspapers in different languages, to help pass the time. (1.53)**
Achieved. There were televisions and bookcases in both the holding rooms with a small stock of books and magazines, a few in other languages. There were suitable books for children and some of these were also in different languages. There were no foreign language newspapers at the time of the inspection. Staff said that they bought newspapers in appropriate languages as needed. Portable DVD players were available for issue with a selection of DVDs.
- 1.48 **Children's activity packs should be offered when children are in the facility. (1.54)**
Achieved. Colouring and puzzle packs were freely available in the family holding room, along with games and other activities for children. Children's DVDs, a portable DVD player and electronic games could also be issued by staff.

Facility rules

- 1.49 **Rules and expected standards of behaviour should be available in a range of languages. (1.58)**
Achieved. The basic G4S handbook and the diversity policy on the holding facility wall outlined basic standards for behaviour in different languages.

Additional information

- 1.50 Handcuffs had not been used and there had been no use of force or other incidents at the facility in the previous year. All detainees were subject to a rub-down search unless a DCO of the same gender was unavailable, in which case they were checked with a metal wand detector. Children were not searched unless there was a particular concern or risk. There were no obvious weaknesses in physical and procedural security. DCOs received annual refresher training in control and restraint.

Complaints

- 1.51 **Complaints forms should be freely available in the detention area and detainees should be able to make complaints in confidence. (1.60)**
Achieved. There were fixed, secure complaints boxes in both holding rooms, which were opened by immigration staff during their daily, recorded visits to the facility. Complaint forms in 11 languages were available in both holding rooms, although not in Portuguese or Spanish, which were common languages spoken by people detained at Edinburgh. Prison and probation ombudsman information was available in 21 languages, including Portuguese and Spanish, but this was of limited use as the ombudsman did not usually deal with complaints unless they had been through the UKBA system.

Further recommendation

- 1.52 Portuguese and Spanish complaint forms should be available.

Services

- 1.53 **Hot and cold food that covers all dietary needs and is suitable for all ages should be available on site. (1.62)**
Partially achieved. Pot noodles and microwave meals were available. The latter were particularly unappealing and staff said that they were very rarely issued as detainees preferred the alternatives, which included sandwiches bought at the terminals by staff. Snack packs, including dried fruit and crisps, were also offered to detainees on arrival. All food was in date. Each offer of food and drink, and whether it was accepted, was recorded.

Further recommendation

- 1.54 Better quality hot meals should be provided for detainees remaining in the facility for more than a few hours.
- 1.55 **The amount of money available in the float should be sufficient to meet demand. (1.63)**
Achieved. The float contained £50, which was more than double the allocated amount at the previous inspection.

Preparation for release

- 1.56 **All detainees should receive a free telephone call in private. This should be recorded and suitable mobile telephones should be allowed in possession. (1.67).**
Partially achieved. Detainees were allowed to retain mobile phones without an integral camera or recording equipment. Staff kept a mobile phone for issue to detainees with phones that did not fit these criteria. They were able to put their own SIM card into this phone. Staff recorded issue of the phone, which had only been issued once in the previous three months. On that occasion the SIM card had not worked and the detainee had used a landline instead. Detainees were offered a free call on a landline in one of the interview rooms, which offered some privacy. If a detainee accepted the offer of a phone call, it was recorded on the occurrence log, but not when it was refused. There were five recorded instances of a free call being accepted by a detainee in the previous three months. There was no payphone in the holding room and detainees without a suitable mobile could not easily receive calls.

Further recommendations

- 1.57 All offers to use a telephone should be recorded.
- 1.58 A payphone which can accept incoming calls should be available in the holding room.
- 1.59 **Suitable property bags should be available. (1.68)**
Achieved. Nylon property bags were stored for issue to detainees as required.

Additional information

Information cards with basic details of other centres were given to detainees. There was a sufficient although diminishing stock of cards with details of Dungavel House immigration

removal centre, which was the most common destination. In the previous three months, of the 32 people detained, 18 were admitted to the UK and 12 were removed. The holding room logs indicated 12 transfers to Dungavel House, often overnight, and four transfers to police custody. Detainees had no access to email or the internet.

Further recommendation

1.60 Detainees should have internet and email access.

Section 2: Summary of recommendations

The following is a list of further recommendations included in this report. The reference numbers in brackets refer to the paragraph location in the main report.

Recommendation	To the escort contractor
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Escorts, vans and transfers

- 2.1 Escort vehicles should provide a safe and relatively spacious environment for all detainees. (1.2)

Recommendations	To the facility contractor
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Arrival and accommodation

- 2.2 Handovers should be thorough and recorded. (1.8)
- 2.3 The baby change shelf should be relocated to a private area, such as the toilets. (1.10)
- 2.4 A range of notices and useful information in different languages should be displayed on the walls of the holding rooms. (1.11)
- 2.5 Detainees should be able to have a shower. (1.15)
- 2.6 The legal authority and practical implications for G4S staff of detaining people in the interview rooms should be clarified by the UKBA and G4S. (1.21)

Legal rights and casework

- 2.7 Information on how to apply for bail and legal rights should be freely available to detainees in a range of common languages. (1.25)
- 2.8 Written reasons for detention should be issued in a language the detainee can understand. (1.28)
- 2.9 Detainees should be able to fax documents. The procedure for doing so should be displayed in the holding rooms. The documents should not be passed to the UKBA office. (1.31)

Duty of care

- 2.10 Staff should receive refresher training in the management of bullying and self-harm. (1.32)
- 2.11 Staff should always carry anti-ligature knives. (1.33)

Childcare and child protection

- 2.12 All custodial staff should receive training in child protection. (1.34)
- 2.13 G4S should complete and publish its national child protection policy. (1.36)

Diversity

- 2.14 Custodial staff should receive routine refresher training in race relations and the diversity policy and procedures. (1.40)
- 2.15 There should be a local disabilities officer. (1.42)

Activities

- 2.16 Detainees held for more than a few hours should have access to fresh air and somewhere to smoke. (1.46)

Complaints

- 2.17 Portuguese and Spanish complaint forms should be available. (1.52)

Services

- 2.18 Better quality hot meals should be provided for detainees remaining in the facility for more than a few hours. (1.54)

Preparation for release

- 2.19 All offers to use a telephone should be recorded. (1.57)
- 2.20 A payphone which can accept incoming calls should be available in the holding room. (1.58)
- 2.21 Detainees should have internet and email access. (1.60)

Housekeeping points

Arrival and accommodation

- 2.22 The flush mechanism in the women's toilets should be repaired. (1.16)

Legal rights and casework

- 2.23 The notice with the Refugee and Migrant Justice telephone number should be removed. (1.26)