

Report on the unannounced inspections  
of three short-term non-residential  
immigration holding facilities:

**Calais Seaport, France**

**Coquelles Freight, France**

**Coquelles Tourist, France**

2 -3 August 2005

by HM Chief Inspector of Prisons

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ISBN 1-84473-873-6  
Printed and published by:  
Her Majesty's Inspectorate of Prisons  
1st Floor, Ashley House  
Monck Street  
London SW1P 2BQ  
England

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# Introduction

This is the fourth report into non-residential short-term immigration holding centres. This time, we examine the facilities established under international treaty on French soil by the Immigration and Nationality Directorate (IND). There are three sites in and around Calais that hold detainees seeking entry into this country, either via the seaport or Eurotunnel. Although detainees are held only for short periods, this can be a time of maximum anxiety and uncertainty for people who may, for example, have previously spent many hours in cramped and dangerous conditions hidden in lorries. Their detention is out of the public gaze, so these reports offer a unique insight into the facilities and identify strengths and weaknesses, as well as reiterating some general issues that have been raised in previous reports.

The fundamental obligation on the Securicor (G4S) staff who run the Calais facilities on behalf of IND is that detainees are held safely. It was therefore worrying that none of the facilities could appropriately separate men, women and children, nor were appropriate child protection arrangements in place. Basic safety was also compromised by staff uncertainty as to their powers under French law to use force to intervene in fights, prevent escapes or stop attempts at suicide and self-harm. IND needs to resolve this issue as a matter of urgency in consultation with its French counterparts. Similar liaison was required with French local authorities and emergency services to clarify whose laws applied and what arrangements followed from this to meet health and safety, healthcare, child protection and disability obligations. Staff training needed to reflect the outcome of this liaison.

As at other centres nearer home, detainees often lacked adequate information about the reasons for their detention, and their ability to contact suitably qualified advisers on British immigration law was even more circumscribed in France. Isolation was compounded by inadequate telephone arrangements, although we welcomed IND's recent instruction that mobile phones could be retained. Detainees were provided with little information about what would happen to them when their detention ended.

Custody staff were commendably respectful and caring in their dealings with detainees, but there was little for detainees to do, no hot food and accommodation was, at best, basic. In fact, accommodation at Coquelles Freight terminal was disrespectful and wholly inadequate and hygiene arrangements were insufficient to cope with detainees who might have travelled in the backs of lorries in insanitary conditions. All the centres could, on occasions, be required to hold detainees overnight and were not properly equipped to do so.

International legal complexities add to the difficulties for centre staff in providing appropriately for detainees, although this should not inhibit IND managers from ensuring speedy implementation of a number of the recommendations in this report – including that they supervise the centres more closely. More generally, our inspections can only provide a brief, occasional snapshot, hence our repeated recommendation that some form of local independent monitoring should be explored with the Independent Monitoring Board National Council.

Anne Owers  
HM Chief Inspector of Prisons

January 2006



# Background

HM Inspectorate of Prisons inspects short-term holding facilities, residential and non-residential, which are under the control of the Immigration and Nationality Directorate (IND). An inspection programme of these places of short-term custody began during the summer of 2004. Reports on the inspections of non-residential facilities will normally be published in groups of three or four. The reports on residential facilities will be published in groups of three.

This report covers the three non-residential holding facilities located in France under the control of IND. The inspections were carried out in August 2005 and were unannounced. The report begins with a summary of significant findings and recommendations, followed by individual reports on each of the three facilities.

Non-residential holding facilities covered in this report:

Calais seaport, Calais, France

Coquelles Freight, Coquelles, France

Coquelles Tourist, Coquelles, France

At the Coquelles Eurotunnel site, there are two short-term immigration holding facilities, Coquelles Freight and Coquelles Tourist. At Calais seaport ferry terminal, there is one holding facility, located at the passenger control. The holding rooms operate 24 hours a day and are non-residential. Those detained are held on an IS91 (authority to detain form) as they would be in the United Kingdom.

The Calais freight lane, for lorries, is about a quarter of a mile away from the tourist lanes and does not have a holding facility. Those found in lorries are asked to sit in a waiting room while their cases are processed by immigration officers, or following refusal of leave to enter, while they await delivery to the Police aux Frontières (PAF). These people are not in detention and can leave if they choose. However, if they leave the waiting room they are likely to be picked up by the PAF.

Material facilities are limited partly by arrangements with the port authority: Eurotunnel or Calais. The Frontier Controls Treaty states that the facilities required should be no more than are necessary to enable the receiving country to carry out its functions effectively. The accommodation provided to UK immigration authorities is limited.

The treaty allows the application of UK immigration law<sup>1</sup> within these zones but there is legal uncertainty about the application of UK or French law in respect of issues which might not be classified as being subject to immigration law, such as powers to use control and restraint or apply first aid. A private contractor, Securicor (G4S), is contracted to manage most short-term holding facilities for IND and, theoretically, its detainee custody officers (DCOs) have the same powers as in the UK. However, custody staff told us of competing requirements in that they were expected to intervene in cases of self-harm, assault and escape but were told they should not use control and restraint except in self-defence, and they were not allowed to use handcuffs. The same Securicor staff worked at all three holding rooms.

Few detainees were seen during the inspection: there were none in Coquelles Freight, one in Coquelles Tourist terminal, and four in the Calais holding room. The only detainee documentation on site during the inspections related to the last two or three days. Securicor subsequently forwarded further documentation.

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<sup>1</sup> See appendix I for a fuller explanation of juxtaposed immigration controls that the UK has agreed with France.



# The healthy custodial establishment

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 normal judicial processes.

## Safety

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HE.3 All short-term holding facilities were regularly visited by a senior member of the immigration team to check on occupants and facilities, but these visits and checks were not recorded. There was a lack of the independent oversight found in other immigration detention facilities.

HE.4 All staff we spoke to during the inspections were very concerned about the lack of information they had been given about policies for running the facilities since the contract had only been awarded to Securicor earlier in the year.

HE.5 Calais and Coquelles Tourist facilities were not suitable for holding men, women and children together. Although facilities at Coquelles Freight had improved recently, it was still not suitable for holding detainees, particularly women and children, at the time of the inspection.

HE.6 There was no child protection policy in any of the centres and none had adequate childcare and child protection procedures. Staff had not undergone enhanced Criminal Records Bureau (CRB) checks at the time of inspection and none of the custody staff had received child protection training.

HE.7 All staff were trained in the management of suicide and self-harm during their initial training course but there were no formal policies to deal with either event in any of the holding rooms. There were no health and safety policies and procedures in any of the facilities other than fire evacuation notices in French.

- HE.8 All custody staff had been trained in the use of force and were refreshed regularly. Staff told us that they were not formally authorised to use control and restraint in the holding rooms unless it was for personal protection, but that it had been used on occasion to restrain violent detainees. Medical examinations were not routinely carried out immediately after force had been used.
- HE.9 Neither original nor copy incident reports were retained on site. Incident reports were provided by Securicor after the inspection.

## **Respect**

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- HE.10 Custody staff were respectful and knowledgeable in their dealings with detainees. We saw good interaction between staff and detainees and staff made attempts to lessen the immediate impact of detention. If detainees did not speak English, custody staff tried to communicate by sign language instead of using a professional telephone interpretation service.
- HE.11 There was no information about the holding room rules or the facilities. Detainees were not given information about how to make a complaint or report racist incidents. None of the centres had a disability policy or nominated disability officer who was known to the custody teams. There were no race relations or diversity policies in any of the three facilities. Nor were there common standards for the practising of faith or for the availability of religious books. No assessments had been made of the impact of policies on different religious, ethnic and cultural groups. Accommodation was of variable quality. That at Coquelles Freight was unacceptably basic and was described by staff as the 'dog kennels'. Toilets, furnishing, ventilation, heating and lighting were all inadequate.
- HE.12 All custody officers received first aid training but there were no routine, professionally conducted health checks and any pressing medical needs were met by calling the French emergency services. In-possession medication was only issued after approval by the port medical inspector in Dover.
- HE.13 There was one card phone in the Calais holding room, no telephone access in Coquelles Freight and a pay telephone in Coquelles Tourist. Detainees were not allowed automatic free phone calls to families or legal advisers after initial processing. However, IND had issued a recent instruction that detainees could keep and use their mobiles phones provided they did not have a camera facility.
- HE.14 No hot meals were available in any of the facilities, though detainees could be held for more than six hours. Calais and Coquelles Tourist holding rooms provided pre-packed, good quality sandwiches, biscuits and hot and cold drinks on a regular basis but the provision at Coquelles Freight was haphazard. Little account was taken of different cultural diets.

## **Activities**

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- HE.15 There were insufficient activities to alleviate boredom in all three holding centres. Only Coquelles Freight had an area that could have been used for exercise but

detainees were not allowed access to it. There was very little reading material in any centre despite the fact that detainees could be held for several hours. The only television was at Coquelles Tourist.

## **Preparation for release**

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HE.16 Detainees were provided with little information about what would happen when their detention ended. Those without a mobile telephone or Euro telephone card could do little to prepare for their movement out of the holding facility.

## **General recommendations (for all centres)**

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To the Home Secretary

HE.17 The Independent Monitoring Board National Council should be enabled to implement a mechanism for regular, independent monitoring of short-term holding centres, including those located at juxtaposed controls, as soon as possible.

To the Director General of the Immigration and Nationality Directorate (IND)

HE.18 There should be regular, documented supervision of each holding room by on-site immigration managers, reporting to senior managers at IND.

HE.19 Written reasons for detention should be provided in a language the detainee can understand.

HE.20 Women and families with children should be held in separate and appropriate accommodation supervised by staff of the appropriate gender. IND staff should make routine checks to ensure this occurred.

HE.21 All holding facilities should have a comprehensive child protection policy agreed with the French authority. Staff in contact with children should receive appropriate training and all staff should undergo appropriate criminal records checks.

HE.22 All centre staff should be aware of the procedures for detaining children and should report to IND if those procedures appear not to have been carried out.

HE.23 Detainees should be provided with adequate telephone facilities, including a free phone call on arrival.

HE.24 All centres should have safer custody procedures in place, including an anti-bullying policy and staff training in suicide and self-harm prevention.

HE.25 Detainees should receive written information about the place of detention and what will happen next in a language that they understand.

- HE.26 Notices or leaflets should be available to detainees explaining how to find suitably qualified independent legal advice both in France and the UK.
- HE.27 A protocol authorising the legitimate use of force by trained custody staff in the holding facility should be sought with the French authorities and custody staff should have clear written instructions on the use of force in a holding facility.
- HE.28 There should be a race relations and diversity policy in every holding room, and an assessment of the impact of procedures on different religious, ethnic and cultural groups should be conducted.

To all centre managers

- HE.29 There should be a complaints procedure in every short-term holding facility.
- HE.30 Detainees subject to control and restraint procedures should always be seen by a healthcare practitioner as soon as possible after the event and this should be recorded.
- HE.31 A healthcare practitioner should be available to visit each facility daily and, where required, detainees should have immediate access to treatment.
- HE.32 Holding rooms should contain newspapers, books, notices and other reading material in different languages, including basic information on the facility, legal assistance and process, fire/health and safety procedures, anti-bullying and anti-racism policies.
- HE.33 Health and safety risk assessments should be produced in accordance with the regulations that apply to the holding rooms and copies kept in each facility.
- HE.34 There should be a disability policy and a designated disabilities officer for every holding room.
- HE.35 Detainees held for several hours should have access to an exercise area in the open air.
- HE.36 Records of the detainee population should be kept on site for a minimum of three months.
- HE.37 Staff should have access to a telephone interpreting service to enable communication with detainees.
- HE.38 Arrangements should be made to supply detainees on special diets with appropriate food.
- HE.39 All custody staff should wear clear name badges when on duty.
- HE.40 Detainees should be made aware of the availability of items such as sanitary towels and nappies.

## Main recommendations in relation to individual centres

### Calais Seaport

- HE.41 Staff should be instructed in detainee emergency evacuation procedures, and have direct access to emergency services.
- HE.42 A separate area of the facility should be redecorated and equipped to meet children's needs.
- HE.43 Minors should only be interviewed in the presence of an appropriate adult, independent of the Immigration Service and the contractor.

### Coquelles Freight

- HE.44 The holding facility should be made fit for purpose.
- HE.45 Basic hygiene items, including soap, should be available for all detainees.
- HE.46 Detainees held for several hours, including overnight, should be provided with blankets and bedding.
- HE.47 Detainees should have access to a call bell or other means of summoning staff in an emergency.

### Coquelles Tourist

- HE.48 The fire exit doors should be replaced by emergency doors that can be controlled by staff.



# Section 1

## Calais Seaport

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Inspected: 3 August 2005  
Inspectors: Jim Gomersall  
Eileen Bye  
Hindpal Singh Bhui

- 1.1 A chief immigration officer visited the holding room every day to check on occupants and the facility. However, this arrangement was informal and visits were not recorded. There was no statutorily appointed group of visitors.

See general recommendation HE17

## Arrival and accommodation

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*Expected outcomes:*

*Detainees taken into custody are treated politely and courteously, given reasons for this course of action in a language they understand and kept in safe and decent conditions*

- 1.2 Four men were detained during the inspection: three Brazilians and a Turkish man, who had arrived on passenger coaches. There was only one short-term holding room at the tourist terminal although the seaport ferry terminal had separate lanes for freight and tourist transport. Car and coach passengers, who were more likely to be documented, could be stopped and detained. Undocumented clandestine passengers who were detected aboard freight vehicles could not be detained as the terminals were separated by a fence, between lanes of fast moving traffic. To travel from one terminal to the other, staff had to walk or drive down one side to a junction where they could join the other lane. The freight passengers held back for questioning were not formally detained but asked to wait in a portakabin, the 'waiting room', under the observation of a detainee custody officer (DCO). When required, additional Securicor staff were summoned from the main holding room using unreliable two-way radios. There was no working telephone in the portakabin. Passengers who were not allowed to continue their journey to the UK were collected by the Police aux Frontières (PAF). We saw a report of an incident just before the inspection when DCOs had been called to sit with some passengers just before noon. The initial four passengers were joined by another 10. The PAF were called five times, but had not arrived by 5.40pm when all those waiting had walked out.
- 1.3 The UK immigration control within the Calais Seaport was established in 2004 so its accommodation was of relatively recent construction, but the single short-term holding room was not of an acceptable standard. A large internal area, without natural light or adequate ventilation was divided into three: a search and property store, separated by a custody officer's desk from the reception and staff area, which was then separated from the holding room by a flimsy partition with perspex glazing at the top to enable observation. The door between the staff area and holding room had been damaged by a detainee. There was an alarm in the staff reception area, but no alarm in the holding room.

- 1.4 The holding room (4.3m by 7.5m), was furnished with seven rows of four chairs and one row of eight. The chairs were hard plastic, although all four detainees were stretched out, apparently sleeping, at the start of the inspection. The areas were cleaned every day and the holding room was air conditioned. There was a male and a female toilet, including a disabled facility. The female facilities had two toilets, two sinks, a baby change shelf, a bin and paper towels. Nappies and women's sanitary items were available. Custody staff used the toilets and the water dispenser in the holding room as they had no separate facilities of their own. The room was unsuitable for the detention of men, women and families with children in close proximity.
- 1.5 Other than signs in French describing fire evacuation procedures and prohibiting smoking, there were no notices. No useful information was provided to detainees about their situation.
- 1.6 There were no health checks and any urgent medical needs were met by calling the French emergency services. Any medication in-possession was issued only after approval by the port medical inspector in Dover, after a faxed inquiry by an immigration officer.

See general recommendations

## **Duty of care**

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*Expected outcomes:*

*The centre exercises a duty of care to protect detainees from risk of harm*

### **Bullying**

- 1.7 Staff told us they had not seen any incidents of bullying between detainees and there were no records of such incidents. None of the four detainees in the holding room expressed concern about the behaviour of other detainees. Staff could observe the holding room at all times. They could not see into the toilets, but said they checked them on a regular basis, and staff also made use of the facilities themselves. Staff were not aware of any anti-bullying policies or procedures.

### **Self-harm and suicide**

- 1.8 Staff could remember no major incidents during 2005, and this was reflected in the 2005 incident reports. However, they did recall an attempt at self-harm the previous year, when a detainee had placed a tie around his neck. Holding room staff received initial first aid training and three-yearly refresher courses, but no specific input on managing self-harm.
- 1.9 Staff told us that they did not have authority to contact emergency services themselves but that such calls had to be routed through the immigration team, which could waste important seconds or minutes.

### **Use of force**

- 1.10 All custody staff working in the facility had been trained in the use of control and restraint (C&R). Staff told us that they had not been properly instructed about the use of C&R in the holding room but believed it could only be used in self-defence and that they were not authorised to use force in any other circumstance. They had been informed that they could bring their handcuffs from the UK to France but were not allowed to use them. In all other

instances where restraint was needed, staff had to summon the PAF (Police aux Frontières) and await their arrival. There was no C&R policy document and staff were uncertain about their powers to intervene in cases of self-harm, violent destruction or detainee-on-detainee assault. There were no available records of restraint having been used during the year. If C&R was used, staff told us there was no requirement for immediate examination by a qualified healthcare practitioner. Staff in both Coquelles holding rooms and in Calais told us of an incident where a detainee had kicked open the door to the secure holding area and tried to get out of the door into the office. He had been restrained by staff and held until the PAF arrived to remove him.

### Health and safety

- 1.11 No health and safety policy documents or risk assessments were available to the holding room staff. Staff were unaware of a designated disabilities officer.
- 1.12 The condition of the room was examined at the start of the day by a custody officer and findings were recorded. Deficiencies were reported to the supervisor.
- 1.13 There was an air conditioning unit in the holding room but no means of regulating the temperature in the administration and searching area, which was around 30 degrees Celsius at the time of the inspection.
- 1.14 Fire instructions were available in the office but these were for staff use only. There was a sign, in French only, describing the fire evacuation. Fire extinguishers were regularly maintained and a supervisor was the designated fire officer. There were no instructions on how or where to evacuate detainees in an emergency.

### Recommendations

- 1.15 Staff radios should be effective and fully operational.
- 1.16 Holding room staff should be able to call emergency services.
- 1.17 Air conditioning should be installed in the administration and searching area.

See also general recommendations and main recommendation HE41

## Childcare and child protection

*Expected outcomes:*

*Children are detained only in exceptional circumstances. Children's rights and needs for care and protection are respected and met in full*

- 1.18 There was no child protection policy or child protection coordinator known to custody staff. Custody staff had not received appropriate training in childcare and protection. There was no code of conduct informing staff of their duty to raise concerns about colleagues and managers in relation to the treatment of children. Staff had not been checked with the Criminal Records Bureau (CRB) to enhanced level.

- 1.19 Detainees with children were allowed to remain together in the holding room. However, there were no toys or games and no reading materials. Children had no access to the fresh air. The holding room was used to detain single adult men, single adult women and people with children and as such was an unsuitable environment for the detention of children. Staff told us that unaccompanied young people who indicated that they were below the age of 18 were held from time to time and that during immigration interview a DCO might be asked to be present as an "appropriate adult" but they were not supposed to speak. There was no social services involvement at any stage and any issues regarding the safety of children were handed over to the PAF when they collected the family or child.

See general recommendations and main recommendations HE42 & HE43

## Legal rights

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*Expected outcomes:*

*Detainees are able to obtain expert legal advice and representation from within the facility. They can communicate with legal representatives without difficulty to progress their cases efficiently*

- 1.20 Immigration officers gave some explanation of refusal of entry decisions using an interpreter if appropriate. However, detainees did not necessarily understand these decisions, particularly if they were travelling with correct documentation. One detainee had left his papers with stored property, but we saw three detainees' IS91R (summary of reasons for detention form), all of which had ticked as reasons: "You have failed to give satisfactory or reliable answers to an immigration officer's inquiries" and "There is insufficient reliable information to decide on whether to grant you temporary admission or release".
- 1.21 Decision documents indicated if there was no, or limited, right of appeal, but did not explain how to challenge or complain about the decision, or get legal advice. These documents were in English only.

See general recommendations

## Casework

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*Expected outcomes:*

*Detention is carried out on the basis of individual reasons that are clearly communicated. Detention is for the minimum period necessary*

- 1.22 There was limited documentation on site but Securicor sent us further documents shortly after the inspection; these documents covered the first two days and part of the third day of August only. They referred to 20 detainees, four of whom were women; 13 had been refused, six had been given leave to enter and the other was in the holding room. Six of the 20 were Brazilians, and one had been given leave to enter.
- 1.23 We subsequently received documentation for May to July 2005, which revealed that the holding room had been occupied on all but one day during this period. With 661 detainees recorded the average was just over seven each day in the holding room: 182 (28%) were women; 11 (1.6%) were minors, aged from 22 months to 17 years. The average period of detention was four hours; the longest was 17 hours.

- 1.24 Passengers of some 85 nationalities were detained. The majority of those detained were Brazilians (33%). The other nationalities most often detained were Mexicans, Bolivians and Lithuanians, far behind at around 5%.
- 1.25 Overall, 17% of those detained were given permission to enter the UK; 15% of Brazilian detainees were given leave to enter.
- 1.26 All detainees who were not allowed to proceed to the UK were collected by the PAF (Police aux Frontières) to be removed from the control zone. Staff told us that most of the time people spent in detention was waiting for the PAF after decisions had been served.

See general recommendations

## **Staff–detainee relationships**

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*Expected outcomes:*

*Those detained are treated respectfully by staff, throughout the duration of their stay*

- 1.27 Custody staff were not wearing clearly visible name badges at the time of the inspection. There was good staff–detainee interaction and the officers were attentive to individual needs. Custody staff were concerned about the lack of information managers had provided since the change of contract, and were particularly worried about the absence of documented procedures and policies.

See general recommendations

## **Diversity**

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*Expected outcomes:*

*There is understanding of the diverse backgrounds of detainees and different cultural norms. Detainees are not discriminated against on the basis of race, nationality, gender or religion and there is positive promotion and understanding of diversity*

- 1.28 No religious texts or other faith provisions were kept on site. If detainees requested them, it took 15 minutes to bring them over from Coquelles Freight or Tourist holding rooms. There were no signs, notices or leaflets in different languages in the holding rooms. Staff said that occasionally immigration staff might use face-to-face or telephone interpreters with detainees, but this was to explain immigration issues only. Securicor staff and detainees who did not speak English were therefore unable to communicate with each other. We spoke to the four detainees who were in the holding room during our inspection. In three cases, we used a telephone interpreting service as they could not speak English. Two of the men expressed frustration at their inability to communicate with staff and felt that they were being treated disrespectfully as a result.
- 1.29 We were told that any complaints would be dealt with by the duty chief immigration officer. There were no racist incident reporting forms.

## Recommendations

- 1.30 Religious texts and other faith provisions should be kept on site.
- 1.31 Detainees should be informed of the availability of religious texts and other religious provision in a language that they understand.

See also general recommendations

## Facility rules

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*Expected outcomes:*

*Detainees are able to feel secure in a predictable and ordered environment*

- 1.32 There were no facility rules on display in the holding room. There was no method for detainees to raise an alarm or summon staff, but because of the layout of the room, they were in full view of staff. Staff checked the toilets every 20 minutes. Detainees were not allowed to smoke in the room, nor were they allowed out of the room to smoke. There was no formal procedure that enabled detainees to make a complaint.

## Recommendation

- 1.33 Subject to risk assessment, detainees should be allowed to smoke outside the holding room.

See also general recommendations

## Services

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*Expected outcomes:*

*Services available to detainees allow them to live in a decent non-punitive environment in which their everyday needs are met freely and without discrimination*

- 1.34 There was a free drinks machine for detainees in the holding room. Sandwiches, crisps and waffles were kept just outside the holding room and Securicor obtained food from two local suppliers. We were told that if food for a particular diet was requested staff would pass the request on to the suppliers, but that in practice it was difficult to cater for special diets. Fruit was not regularly available. All four detainees in the holding room said they had been given food at regular intervals.
- 1.35 Sanitary towels and nappies were kept on site, but their availability was not advertised.
- 1.36 There was one card phone in the holding room. However, as very few detainees had cards and they were not provided by custody staff, we were told the phone was almost never used. Since the previous week, detainees were able to use their own mobile phones provided they had no camera. If they did not have a mobile phone or a phone card, there was no way they could access a telephone. Staff told us that detainees regularly became frustrated because they were unable to assist them with a telephone call.

## Recommendation

- 1.37 Detainees should have access to a usable payphone, and staff should have a stock of exchangeable coins or cards.

See also general recommendations

## Activities

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*Expected outcomes:*

*The facility encourages activities and provides facilities to preserve and promote the mental and physical well being of detainees.*

- 1.38 There was no television in the holding room and no magazines or newspapers to help detainees pass the time. Detainees were often held for several hours, and the longest single period of detention for a detainee in the room in the previous three months was 17 hours. There was no exercise area.

## Recommendation

- 1.39 A television should be installed in the holding room.

See also general recommendations

## Preparation for release

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*Expected outcomes:*

*Detainees are able to maintain contact with family, friends, support groups, legal representatives and advisers, and are given notice of their release, transfer or removal.*

- 1.40 Following refusal of entry to the UK, detainees had to await collection by the PAF (Police aux Frontières) to be removed from the control zone. In the meantime, those who had no mobile phone and no French telephone card could do little to prepare for what happened next.

See general recommendations



## Section 2

### Coquelles Freight

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Inspected: 2 August 2005  
Inspectors: Jim Gomersall  
Eileen Bye  
Hindpal Singh Bhui

- 2.1 A chief immigration officer regularly visited the holding room to check on occupants and facilities. However, this was an informal arrangement and visits were not recorded. There was no statutorily appointed independent group of visitors. No detainees were present during the inspection.

See general recommendation HE17

### Arrival and accommodation

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*Expected outcomes:*

*Detainees taken into custody are treated politely and courteously, given reasons for this course of action in a language they understand and kept in safe and decent conditions*

- 2.2 People were generally detained having been detected as clandestine passengers aboard lorries passing through the adjacent Eurotunnel control. A few had travelled as passengers in the front of the vehicle. Immigration staff checked lorries visually and with new technology such as CO2 detectors, or with trained dogs. Some people had boarded the vehicles in a different country; others had managed to board nearby.
- 2.3 Detainees, with an IS91 (authority to detain form), were brought by immigration officers into a small waiting room; they then entered a search and property storage area, leading to reception and staff rooms. Detainees were searched and any property was sealed and stored. There was little point retaining cash since there was no telephone available to detainees, although a recent instruction had been issued allowing detainees to keep and use their mobiles, if they did not have a camera. A few stock phrases had been translated into different languages to help with reception questions, otherwise no language help was available. Apart from the compulsory fire evacuation notice, in French, and a notice about the availability of religious texts, no other information was displayed to detainees.
- 2.4 Detainees left reception and made their way down an external pathway between the building and perimeter which was covered by insubstantial roofing sheets, with wire fencing along the open side. The fencing was covered with opaque gauze, to provide some screening and defence against the elements. At the end of the short path there was a block of six virtually identical rooms measuring 4m by 3m. The facility was very basic and was described by staff as the "dog kennels". The area was non-smoking. The rooms were unoccupied and clean, but were still wet having been hosed down that day. The concrete walls and floor had recently been painted to brighten them up. In the corner of each was a hole-in-the-ground toilet, with three-quarter length screening, and a small stainless steel sink with a single tap.

- 2.5 Solid block benches ran along three walls. Two were covered by thin plastic-covered pads, which could not be described as bedding. Apart from a small heater on the back wall, there was no furniture or item offering any comfort in the room. Staff told us that people emerging from under lorries, or after long periods living rough, were often unclean and sometimes infected. As a consequence, rooms were routinely hosed down. However, soap was not provided, apparently in case it was used as a weapon. No spare clothing was on offer to replace dirty or infested clothing. We saw some paper suits but no staff member asked could recall one being handed out. No blankets were available, despite the fact that in cold weather, the heater was too small to counter the cold of the concrete block and the exposed environment.
- 2.6 When the door was closed, the only ventilation was a small vent above the toilet and a mesh-covered hole (17cm by 12cm) at the bottom of the door. Staff confirmed that, if multi-occupied, rooms also became extremely smelly. Air conditioning was due to be installed.
- 2.7 There was no light in the rooms other than that which entered through the small windows in the door and one external wall. The strip light outside the external wall threw some light into the room, if custody officers turned it on. With the door closed it was extremely gloomy even in day time.
- 2.8 The only notice, a picture of the tap, indicated that the water was safe to drink. We could not see any, but were told paper cups were available.
- 2.9 If someone arrived with medication, staff sent details on a pro forma fax to the port medical inspector (PMI) in Dover. If the PMI faxed back approval, the detainee would then be given the medication to take, in the presence of an immigration officer, and this would be recorded. If someone had obvious health problems, the Immigration Service was contacted to ask if local emergency services could be called. There were no health checks, although we were told that people sometimes volunteered that they had infectious diseases. No health checks were recorded between May and July 2005, when five detainees raised recorded health problems. One had both hands bandaged but no further enquiries about how he coped, or ate the sandwich he was given, had been recorded during his five hours' detention. Although on a busy day six people could occupy the room, there was no room-sharing risk assessment. The rooms had no alarms but staff checked them every 20 minutes.
- 2.10 With fewer numbers the practice was to allocate one person to a room. Most detainees held at Coquelles Freight were single men. If women or a family with children arrived, they were allocated separate rooms. Custody staff were generally male, but if women or children arrived a female detainee custody officer (DCO) from Coquelles Tourist or Calais seaport would swap places. Sanitary towels could be collected from one of the other holding rooms, although there were no notices advertising this. There were no special arrangements for women, children or age-dispute cases. All were referred to the PAF (Police aux Frontières).
- 2.11 The accommodation was not fit for purpose and was completely unsuitable for detention of women and families with children.

### Recommendation

- 2.12 Detainees whose clothing is no longer fit for purpose, and who have no spare clothing, should be provided with replacements.

See also general recommendations and main recommendations HE44-46

## **Duty of care**

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*The centre exercises a duty of care to protect detainees from risk of harm*

### **Bullying**

- 2.13 Staff on duty at the Freight facility could not recall any incidents of bullying between detainees and there were no records of any incidents. Staff who worked at the Tourist facility could remember a single incident when they had worked at the Freight facility, involving a Palestinian detainee who had been taunted by other detainees. These detainees had then been moved to a different holding room. Staff knew of no anti-bullying policies or procedures. The holding rooms were empty on the day of inspection but they were checked every 20 minutes when occupied and checked every two hours when unoccupied to ensure that they were fit for use.

### **Self-harm and suicide**

- 2.14 Incident reports for 2005 were available on site. None related to self-harm incidents, and the holding room staff said they had no recollection of any detainees trying to harm themselves in the Freight holding rooms. All custody staff had initial first aid training and three-yearly refresher courses. They had received no specific input on managing self-harm.

### **Use of force**

- 2.15 All custody staff were trained in the use of control and restraint (C&R). We were told that staff had been instructed to use C&R in self-defence only. Use of force in any other circumstance was unauthorised. In instances where restraint was needed, staff had to summon the PAF and await their arrival. Staff said they had been told that they could bring their handcuffs from the UK to France but were not allowed to use them. Those policies were not documented and staff were uncertain about their powers to intervene in cases of self-harm, violent destruction or detainee-on-detainee assault. There were no records of restraint having been used in the current year. We were told that if C&R was used there was no requirement for immediate examination by a qualified healthcare practitioner.

### **Health and safety**

- 2.16 We were told that area risk assessments had been conducted in January 2005 but there were no health and safety policy documents or health and safety risk assessments available to the custody staff. Weekly health and safety checks were conducted by the supervisor and a record was maintained. Staff were unaware of a designated disabilities officer for the holding rooms.
- 2.17 A custody officer examined the rooms at the beginning of each day and recorded the findings. Deficiencies were reported to the supervisor. The flooring in all rooms was badly worn and age-stained and we were told it was due for replacement.
- 2.18 Fire instructions were available in the office but these were for staff use only. There were no fire instructions available to detainees in any language. Fire extinguishers were regularly maintained. One of the small team of supervisors was designated as the fire officer.

## Recommendation

2.19 The flooring in all the holding rooms should be replaced as soon as possible.

See also general recommendations

## Childcare and child protection

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*Expected outcomes:*

*Children are detained only in exceptional circumstances. Children's rights and needs for care and protection are respected and met in full*

2.20 Families with children were detained occasionally but there was no child protection policy or child protection coordinator known to custody officers. The custody staff had not received training in childcare and protection. There was no code of conduct informing staff of their duty to raise concerns about colleagues and managers in relation to the treatment of children. Custody officers had not been checked to enhanced level by the Criminal Records Bureau (CRB).

2.21 Detainees with children were allowed to remain together in one of the holding rooms. However, the austere accommodation was unsuitable for the detention of children. There were no facilities for children, such as toys, games and reading material and children were not able to go outside in the fresh air.

See general recommendations

## Legal rights

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*Expected outcomes:*

*Detainees are able to obtain expert legal advice and representation from within the facility. They can communicate with legal representatives without difficulty to progress their cases efficiently*

2.22 Almost no legal information was available to detainees. At the time of detention, immigration officers offered some verbal explanation. However, detainees were unlikely to be given any documents about their status until they left. Often, they were then given an IS151A form explaining that they were considered illegal entrants with limited right of appeal, and that they were liable to detention, and return to the French authorities. However, they were not necessarily given documented reasons for detention, as they would have been in the UK. They were given no information about how to seek legal advice, challenge detention or complain about conditions. The IS151A also stated: "You may on request have one person known to you or who is likely to take an interest in your welfare informed at public expense as soon as is practicable of your whereabouts". Nevertheless, detainees were not offered a free telephone call to contact a legal representative or embassy, and there was no payphone. A recent instruction permitted those with a mobile telephone to retain it provided it had no camera.

See general recommendations

## **Casework**

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*Expected outcomes:*

*Detention is carried out on the basis of individual reasons that are clearly communicated.*

*Detention is for the minimum period necessary*

- 2.23 Limited documentation was available on site but the contractor supplied further documentation after the inspection. During July 2005, the holding rooms had been occupied on 14 days, by between one and 13 people. Some incomplete June records suggested an average duration of seven and a half hours' detention; the longest was 11 hours 45 minutes. Documents relating to three weeks in June referred to 33 men and four women. The four women were held for 8 hours 35 minutes. All were intercepted aboard heavy goods vehicles. A family with a 10-year old child had been detained for eight hours. From May to July 2005, the holding facility had been occupied on 43 days, with a total of 202 detainees. Nine were women; 33 were minors or possible minors, with given ages ranging from 10 to 17. The largest number of detainees held on any one day was 24.
- 2.24 Immigration staff were based in accommodation close to the holding room. Their role was confined to considering the status of people intercepted, making a decision and arranging removal. The majority of those under scrutiny were illegal entrants, detained and removed from the control zone by the PAF (Police aux Frontières). In the three months' worth of records examined, no one was given leave to enter the UK. Casework following refusal consisted of reminding the PAF to collect people. The agreement between the UK Immigration Service and the PAF was that they should be collected as soon as possible, but times varied because the PAF, with dual policing and immigration control roles, were often occupied elsewhere. Custody staff contacted immigration staff if there were any problems and when detention exceeded eight hours.

See general recommendations

## **Staff–detainee relationships**

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*Expected outcomes:*

*Those detained are treated respectfully by staff, throughout the duration of their stay*

- 2.25 Custody staff were not wearing clearly visible name badges. All staff on duty were male but we were told that a woman custody officer was brought in when female detainees or children were held. Custody staff were concerned about the lack of information and the absence of documented policies and procedures since the change of contract earlier in the year.

See general recommendations

## **Diversity**

---

*Expected outcomes:*

*There is understanding of the diverse backgrounds of detainees and different cultural norms.*

*Detainees are not discriminated against on the basis of race, nationality, gender or religion and there is positive promotion and understanding of diversity*

- 2.26 A Koran, a Bible and a kiblah (compass) were available, but this had not been well advertised. There were signs in the searching and waiting areas, depicting a book and a compass, but the

meaning of the sign – that religious books and other items were available – was not clear. There was a language aid in 17 languages, which had two questions: ‘Do you feel ill?’ and ‘Do you need a doctor?’ Apart from this, there were no other signs or leaflets in different languages. Staff said that occasionally IND staff might use face to face or telephone interpreters with detainees, but this was only to explain immigration issues. Detainees who could not speak English therefore found it hard to make themselves understood, and staff were unable to communicate with them.

- 2.27 We were told that the duty chief immigration officer would deal with any complaints. There was no racist incident reporting system.

See general recommendations

## Facility rules

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*Expected outcomes:*

*Detainees are able to feel secure in a predictable and ordered environment*

- 2.28 There were no facility rules on display in any language. When occupied, a custody officer checked rooms every 20 minutes. When not occupied they were checked every two hours. These checks were documented. There was no means for detainees to raise the alarm or summon staff outside the 20-minute check. Detainees were not allowed to smoke in the rooms nor were they allowed out to smoke. There was no formal complaints procedure.

### Recommendations

- 2.29 Detainees should be allowed to smoke outside the holding rooms subject to risk assessment.
- 2.30 An alarm system should be installed in the holding room for use by detainees in an emergency.

See also main recommendation HE47

## Services

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*Expected outcomes:*

*Services available to detainees allow them to live in a decent non-punitive environment in which their everyday needs are met freely and without discrimination*

- 2.31 No hot meals were provided and there were no drinks machines. Food was not kept on site but sandwiches, crisps and waffles were kept at the nearby Coquelles Tourist holding room and were brought over as required, which could involve some delay. Although most detainees were offered sandwiches at some stage, some were not offered any; others detained for several hours appeared to have been offered sandwiches only once. For example, a group of six who had been detained for nine and a half hours from early morning to afternoon appeared to have only been offered breakfast. We were told that requests for particular diets were passed on to the local suppliers, but in practice it was difficult to cater for special diets. On some occasions, the log recorded that all those present had the same type of sandwiches, which did not suggest any exercise of choice. Fruit was not regularly available.

- 2.32 Sanitary towels and nappies were available but this was not advertised.
- 2.33 Detainees had no access to telephones other than their own mobiles, which they had recently been told they were allowed to retain provided they had no cameras.

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#### Recommendation

- 2.34 All detainees should be offered food and a hot drink, on arrival and at regular intervals.

See also general recommendations

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### Activities

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*Expected outcomes:*

*The facility encourages activities and provides facilities to preserve and promote the mental and physical well being of detainees.*

- 2.35 The enclosed area outside the front of the rooms was not used for exercise even though detainees could be held for several hours. There was no television or any magazines or newspapers to help detainees pass the time.

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#### Recommendation

- 2.36 Televisions should be installed in each room.

See also general recommendations

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### Preparation for release

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*Expected outcomes:*

*Detainees are able to maintain contact with family, friends, support groups, legal representatives and advisers, and are given notice of their release, transfer or removal.*

- 2.37 Detainees were collected by the PAF after varying periods in detention. Occasionally, the local emergency services referred extremely ill detainees to the local hospital. Detainees were despatched in the condition and clothing in which they arrived, sometimes without adequate explanation and without having been given the opportunity to contact anyone.

See general recommendations



## Section 3

### Coquelles Tourist

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Inspected: 2 August 2005  
Inspectors: Jim Gomersall  
Eileen Bye  
Hindpal Sing Bhui

- 3.1 A chief immigration officer visited the holding room regularly to check on occupants and facilities. However, these checks were not formalised and visits were not recorded. There was no statutorily appointed independent group of visitors. One detainee was in the holding room during the inspection.

See general recommendation HE17

### Arrival and accommodation

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*Expected outcomes:*

*Detainees taken into custody are treated politely and courteously, given reasons for this course of action in a language they understand and kept in safe and decent conditions*

- 3.2 Immigration officers at Coquelles Tourist terminal examined car and coach passengers' documents. Immigration officers issued the IS91 (authority to detain form) and accompanied detainees to the short-term holding facility close to the control point.
- 3.3 Custody staff told us that they would prefer immigration staff to provide more information about reasons for detention, as they did not know what to say to detainees when asked. If detainees did not speak English, custody staff attempted to communicate using sign language.
- 3.4 A small reception and staff room had been partitioned out of the large holding room area. A minimum of two detainee custody officers were on duty at all times, one male and one female; the staff room was crowded with just two occupants, chairs and a desk. The partitioning was not robust and the top portion was made up of clear perspex with a vent through which small items could be passed. There was no natural light or ventilation in the room.
- 3.5 The room was cleaned daily and was in an adequate state of repair. Thirty-seven hard plastic chairs were set in rows. Staff said several detainees each day were accommodated. The design of the chairs meant that a detainee lying across a row would find it hard to rest. One male and one female toilet took up one corner of the room. Each had a standard and a disabled toilet, sink with soap dispenser, hand dryer and bin. The holding room also contained a free hot and cold drinks dispenser, water fountain, wall-mounted television, and a payphone allowing incoming and outgoing calls. Staff were not able to assist if detainees did not have any Euros, or the correct change. The only notices on display were the standard fire evacuation plan, in French, a no smoking sign, and an indistinct indication that some religious items were available on request. No other general information was available for detainees.

- 3.6 All custody officers had received first aid training and they had access to a first aid box, but they were doubtful about the application of French law in this regard and had no written guidance. If a detainee had a health problem, detainee custody officers (DCOs) called the French emergency services.

See general recommendations

## **Duty of care**

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*Expected outcomes:*

*The centre exercises a duty of care to protect detainees from risk of harm*

### **Bullying**

- 3.7 Custody staff in Coquelles Tourist could not recall any bullying incidents in the holding room. They had clear sight of all parts of the room except for the toilets, which they said were checked every 20 minutes. They knew of no anti-bullying policies or procedures.

### **Self-harm and suicide**

- 3.8 None of the incident reports available on site for 2005 related to Coquelles Tourist, but staff could recall some serious self-harming incidents that had occurred in 2004. One involved a detainee who had cut himself in the toilets in protest at his immigration detention. We were told that a member of Securicor staff spoke to him to calm him down and offered first aid until the PAF arrived shortly afterwards to remove him from the holding area. Custody staff said they received first aid training and refresher courses, but felt that the input on managing self-harming behaviour during initial training was inadequate.

### **Use of force**

- 3.9 All custody staff working in the facility were trained in the use of control and restraint (C&R). As was the case in the other holding rooms, staff had been told it could only be used in self-defence and that they were not authorised to use force in any other circumstance. Again staff said they had been told that they could bring their handcuffs from the UK to France but were not allowed to use them. In all other instances where restraint was needed, staff had to summon the PAF (Police aux Frontières) and await their arrival. No policy on the use of force had been published and staff were uncertain about their powers to intervene in cases of self-harm, violent destruction or detainee-on-detainee assault. There were no available records of restraint being used during the current year and staff told us that if C&R was used there was no requirement for immediate examination by a qualified healthcare practitioner.

### **Health and safety**

- 3.10 We were told that area risk assessments had been conducted in January 2005 but there were no health and safety policy documents or health and safety risk assessments available to the custody staff. Staff were unaware of a designated disabilities officer for the holding room.
- 3.11 A custody officer examined the holding room at the start of each day and reported any deficiencies to the supervisor. The room was clean and in good order.

- 3.12 Fire instructions were available but these were for staff use only. There were no fire instructions available to detainees in any language. Fire extinguishers were regularly maintained. One of the small team of supervisors working in France was designated as the fire officer.

See general recommendations

## **Childcare and child protection**

---

*Expected outcomes:*

*Children are detained only in exceptional circumstances. Children's rights and needs for care and protection are respected and met in full*

- 3.13 Families with children who had been refused entry to the UK were detained occasionally but there was no child protection policy or child protection coordinator. Staff had not received training in childcare and protection. There was no code of conduct informing staff of their duty to raise concerns about colleagues and managers in relation to the treatment of children and custody officers had not been checked to enhanced level by the Criminal Records Bureau (CRB).
- 3.14 Detainees with children were allowed to remain together in the holding room. There were no toys, games or reading material available for children and no access to the fresh air. The holding room was used to detain single adult men, single adult women and people with children and as such was an unsuitable environment for the detention of children. There was no social services involvement at any stage and any issues regarding the safety of children were handed over to the PAF when they collected the family.

See general recommendations

## **Legal rights**

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*Expected outcomes:*

*Detainees are able to obtain expert legal advice and representation from within the facility. They can communicate with legal representatives without difficulty to progress their cases efficiently*

- 3.15 Immigration officers gave some explanation of the reasons for detention at the time passengers were stopped, using interpreters, often by telephone. However, little written information was provided. We noted that the detainee present in the holding room had been given the standard IS91R (summary of reasons for detention form), but the second page containing information about the possibility of applying for bail and telephone numbers of the Refugee Legal Centre and Immigration Advisory Service was missing. No information about how to find legal advice, challenge or complain about Immigration Service decisions was provided. Custody staff complained that detainees often did not understand why they had been detained. The IS91R was in summary form and in English. The limited information available about status and the lack of access to legal advice limited detainees' ability to influence decision-making. Detainees without a mobile telephone or who had no coins for the payphone were unable to contact a legal adviser or embassy.

See general recommendations

## Casework

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*Expected outcomes:*

*Detention is carried out on the basis of individual reasons that are clearly communicated.*

*Detention is for the minimum period necessary*

- 3.16 Immigration staff worked alongside the holding room at Coquelles Tourist terminal. According to copy logs supplied to us shortly after the inspection, the holding room was occupied on all but 12 days during May to July 2005, with a total of 310 detainees: 91 (29%) were women and 20 (6%) were minors or possible minors, aged from eight months to 17 years. The average time spent in the holding room was just over three hours. The longest period was 15 hours and 45 minutes. Some 70 nationalities were recorded. Brazilians were the most often detained and accounted for 20% of detainees, far ahead of those nationalities in second and third place, Mexico and USA at 4% and Turkey at 3%.
- 3.17 Not every detained person was refused leave to enter the UK. After further investigation, properly documented passengers were sometimes allowed to proceed.
- 3.18 Twenty-two per cent of detainees overall were eventually given leave to enter the UK, although 31% of Brazilians were allowed to proceed.
- 3.19 Those thought to be seeking illegal entry, or refused leave to enter for whatever reason, were collected by the PAF to be taken from the control zone. This could take some hours.

## Staff–detainee relationships

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*Expected outcomes:*

*Those detained are treated respectfully by staff, throughout the duration of their stay*

- 3.20 Staff were not wearing clearly visible name badges at the time of the inspection. One of the custody officers on duty was female and we were told that a woman officer would always be brought in when female detainees or children were held. There was one detainee held at the time of inspection and the custody staff were attentive to his needs and potential anxieties. Custody staff were concerned that little information had been provided to them since the change of contract earlier in the year and were very concerned about the absence of documented procedures and policies.

See general recommendations

## Diversity

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*Expected outcomes:*

*There is understanding of the diverse backgrounds of detainees and different cultural norms.*

*Detainees are not discriminated against on the basis of race, nationality, gender or religion and there is positive promotion and understanding of diversity*

- 3.21 A Koran, a Bible, a prayer mat and a kiblah (compass) were available, but this facility had not been well advertised. As in Coquelles Freight, there was a sign depicting a book and a compass, though its meaning – that religious books and other items were available – was not clear. Staff could not remember detainees asking for religious provisions, but told us that detainees occasionally complained about the lack of privacy for prayer.

- 3.22 There were no signs or leaflets in different languages, and no information at all in the holding room. As in Coquelles Freight, staff said that occasionally immigration officers might use face to face or telephone interpreters with detainees, but this was only to explain immigration issues. Detainees who could not speak English found it hard to make themselves understood to Securicor staff, and staff were unable to communicate with these detainees.
- 3.23 We were told that any complaints would be dealt with by the duty chief immigration officer. There was no racist incident reporting procedure.

See general recommendations

## Facility rules

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*Expected outcomes:*

*Detainees are able to feel secure in a predictable and ordered environment*

- 3.24 There were no facility rules on display in the holding rooms in any language. There was no means by which detainees could raise an alarm or summon staff but they could be constantly observed. There were alarm call bells in both toilets and staff checked the toilet areas every 20 minutes. Detainees were not allowed to smoke in the room, nor were they allowed out of the room to smoke. There was no formal procedure that enabled detainees to make a complaint.

### Security

- 3.25 The panelling on one side of the holding room and around the staff office did not reach the ceiling. There was a gap of approximately 10 inches which was large enough for a detainee to attempt to squeeze through. The fire exit doors from the holding room to the outside area were of the conventional push bar type with no means of secure closure. Detainees only had to push the bar to escape from the room. The doors, when opened, triggered an alarm in the staff office. The speaking hatch in the polyglass window between the staff area and the holding room had a poorly fitting plastic guard which could be removed and potentially used as a weapon.

### Recommendations

- 3.26 Subject to risk assessment, detainees should be allowed to smoke outside the holding room.
- 3.27 The gap between the top of the panelling and the ceiling in the holding room should be closed.
- 3.28 The speaking hatch should be modified so that the guard cannot be removed.

See also main recommendation HE48

## Services

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*Expected outcomes:*

*Services available to detainees allow them to live in a decent non-punitive environment in which their everyday needs are met freely and without discrimination*

- 3.29 The arrangements for meals and other essential provisions were almost identical to those at Coquelles Freight. However, there was a free drinks machine for detainees. Sandwiches, crisps and waffles were kept just outside the holding room and Securicor obtained food from two local suppliers. We were told that if food for a particular diet was requested staff would pass the request on to the suppliers, but special diets were not catered for in practice. Fruit was not regularly available.
- 3.30 Sanitary towels and nappies were kept on site, but their availability was not advertised.
- 3.31 There was one payphone, which took Euros. However, since the previous week, detainees were able to use their own mobile phones, if they had no camera. If they did not have a mobile phone, there was no means of gaining free telephone access. Staff were not able to assist with change for the phone.

See general recommendations

## **Activities**

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*Expected outcomes:*

*The facility encourages activities and provides facilities to preserve and promote the mental and physical well being of detainees.*

- 3.32 There was no reading material or anything else to help detainees pass the time. There was no exercise area although detainees were sometimes held for long periods of time – up to 15 hours 45 minutes in one case.

See general recommendations

## **Preparation for release**

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*Expected outcomes:*

*Detainees are able to maintain contact with family, friends, support groups, legal representatives and advisers, and are given notice of their release, transfer or removal.*

- 3.33 Although some might eventually be authorised to enter the UK, most detainees were usually refused leave to enter. The decision documentation informed them of limitations on appeal rights. The PAF collected those refused entry and removed them from the control zone. What happened next depended on the police, and no formal advice was given to detainees.
- 3.34 Coach passengers released with a positive decision, having spent a period in detention, might be stranded waiting for another coach until the following morning.

See general recommendations

# Section 4: Recommendations and good practice

## **General recommendation**

### **To the Home Secretary**

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- 4.1 The Independent Monitoring Board National Council should be invited to propose a mechanism for regular, independent monitoring of short-term holding rooms located outside the UK, including those located at juxtaposed controls. (HE17)

## **General recommendations**

### **To the Director General of the Immigration and Nationality Directorate (IND)**

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- 4.2 There should be regular, documented supervision of each holding room by on-site immigration managers, reporting to senior managers at IND. (HE18)
- 4.3 Written reasons for detention should be provided in a language the detainee can understand. (HE19)
- 4.4 Women and families with children should be held in separate and appropriate accommodation supervised by staff of the appropriate gender. IND staff should make routine checks to ensure this occurred. (HE20)
- 4.5 All holding facilities should have a comprehensive child protection policy agreed with the French authority. Staff in contact with children should receive appropriate training and all staff should undergo appropriate criminal records checks. (HE21)
- 4.6 All centre staff should be aware of the procedures for detaining children and should report to IND if those procedures appear not to have been carried out. (HE22)
- 4.7 Detainees should be provided with adequate telephone facilities, including a free phone call on arrival. (HE23)
- 4.8 All centres should have safer custody procedures in place, including an anti-bullying policy and staff training in suicide and self-harm prevention. (HE24)
- 4.9 Detainees should receive written information about the place of detention and what will happen next in a language that they understand. (HE25)
- 4.10 Notices or leaflets should be available to detainees explaining how to find suitably qualified independent legal advice both in France and the UK. (HE26)

- 4.11 A protocol authorising the legitimate use of force by trained custody staff in the holding facility should be sought with the French authorities and custody staff should have clear written instructions on the use of force in a holding facility. (HE27)
- 4.12 There should be a race relations and diversity policy in every holding room, and an assessment of the impact of procedures on different religious, ethnic and cultural groups should be conducted. (HE28)

## **General recommendations**

### **To all centre managers**

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- 4.13 There should be a complaints procedure in every short-term holding facility. (HE29)
- 4.14 Detainees subject to control and restraint procedures should always be seen by a healthcare practitioner as soon as possible after the event and this should be recorded. (HE30)
- 4.15 A healthcare practitioner should be available to visit each facility daily and, where required, detainees should have immediate access to treatment. (HE31)
- 4.16 Holding rooms should contain newspapers, books, notices and other reading material in different languages, including basic information on the facility, legal assistance and process, fire/health and safety procedures, anti-bullying and anti-racism policies. (HE32)
- 4.17 Health and safety risk assessments should be produced in accordance with the regulations that apply to the holding rooms and copies kept in each facility. (HE33)
- 4.18 There should be a disability policy and a designated disabilities officer for every holding room. (HE34)
- 4.19 Detainees held for several hours should have access to an exercise area in the open air. (HE35)
- 4.20 Records of the detainee population should be kept on site for a minimum of three months. (HE36)
- 4.21 Staff should have access to a telephone interpreting service to enable communication with detainees. (HE37)
- 4.22 Arrangements should be made to supply detainees on special diets with appropriate food. (HE38)
- 4.23 All custody staff should wear clear name badges when on duty. (HE39)
- 4.24 Detainees should be made aware of the availability of items such as sanitary towels and nappies. (HE40)

## **Main recommendations: Section 1 Calais Seaport**

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- 4.25 Staff should be instructed in detainee emergency evacuation procedures, and have direct access to emergency services. (HE41)
- 4.26 A separate area of the facility should be redecorated and equipped to meet children's needs. (HE42)
- 4.27 Minors should only be interviewed in the presence of an appropriate adult, independent of the Immigration Service and the contractor. (HE43)

## **Main recommendations: Section 2 Coquelles Freight**

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- 4.28 The holding facility should be made fit for purpose.(HE44)
- 4.29 Basic hygiene items, including soap, should be available for all detainees. (HE45)
- 4.30 Detainees held for several hours, including overnight, should be provided with blankets and bedding. (HE46)
- 4.31 Detainees should have access to a call bell or other means of summoning staff in an emergency. (HE47)

## **Main recommendations: Section 3 Coquelles Tourist**

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- 4.32 The fire exit doors should be replaced by emergency doors that can be controlled by staff. (HE48)

## **Other recommendations**

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### **Calais Seaport**

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- 4.33 Staff radios should be effective and fully operational. (1.15)
- 4.34 Holding room staff should be able to call emergency services. (1.16)
- 4.35 Air conditioning should be installed in the administration and searching area. (1.17)
- 4.36 Religious texts and other faith provisions should be kept on site. (1.30)
- 4.37 Detainees should be informed of the availability of religious texts and other religious provision in a language that they understand. (1.31)

- 4.38 Subject to risk assessment, detainees should be allowed to smoke outside the holding room. (1.33)
- 4.39 Detainees should have access to a usable payphone, and staff should have a stock of exchangeable coins or cards. (1.37)
- 4.40 A television should be installed in the holding room. (1.39)

### **Coquelles Freight**

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- 4.41 Detainees whose clothing is no longer fit for purpose, and who have no spare clothing, should be provided with replacements. (2.12)
- 4.42 The flooring in all the holding rooms should be replaced as soon as possible. (2.19)
- 4.43 Detainees should be allowed to smoke outside the holding rooms subject to risk assessment. (2.29)
- 4.44 An alarm system should be installed in the holding room for use by detainees in an emergency. (2.30)
- 4.45 All detainees should be offered food and a hot drink, on arrival and at regular intervals. (2.34)
- 4.46 Televisions should be installed in each room. (2.36)

### **Coquelles Tourist**

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- 4.47 Subject to risk assessment, detainees should be allowed to smoke outside the holding room. (3.26)
- 4.48 There gap between the top of the panelling and the ceiling in the holding room should be closed. (3.27)
- 4.49 The speaking hatch should be modified so that the guard cannot be removed. (3.28)

# Appendix I: Reciprocal immigration controls agreement

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The United Kingdom has a number of different agreements with European Community partner states on the other side of the channel permitting juxtaposed controls. These include an agreement with France for reciprocal immigration controls at Dover, Calais and Eurotunnel sites within designated control zones. Passengers travelling to either country are cleared by immigration officials on arrival and prior to embarkation.

In Calais Seaport and Coquelles Eurotunnel control zones UK immigration officials check freight, coaches, cars and foot passengers destined for the UK. The principal aim is to reduce the number of inadequately documented people entering the country. These include people with no travel documents who are concealed in freight lorries, and passengers whose documents or intentions give rise to doubt sufficient to refuse leave to enter the UK. They include asylum seekers and other travellers.

Relevant parts of UK immigration law, including detention powers and prevention of terrorism law relating to port controls, can be applied by immigration officers, supported by police officers from Kent and the Special Branch. The frontier controls treaty allows arrest and detention for up to 24 hours (extendable to 48 hours in exceptional circumstances). Within this period, following refusal of leave to enter the UK, immigration officers inform the Police aux Frontières (PAF), who operate as border and port police in France. The PAF then collect detainees for removal from the control zone. If they are of no interest to the police, for example, because they are lawfully in France, they are released. If an offence under French law has been committed, they might be charged. Those making asylum claims might be referred to procedures under French law.

Immigration officers apply UK immigration law and can give or refuse leave to enter and detain. However, they do not accept applications for asylum, on the basis that any claimant would be within French territory and the French authorities would be the responsible authority for dealing with an asylum claim. This is in accordance with the Dublin Convention, an international agreement on which state should take responsibility for determining an asylum claim. The Dublin Convention envisaged departure from the norm if an asylum seeker was transiting the first country in order to join close family in the second country but immigration staff at the juxtaposed controls did not apply this exception. The individual would be ejected in the normal way and expected to request the French authority to refer the claim for exceptional treatment to the UK third country unit within the Immigration and Nationality Directorate (IND) of the Home Office.

Both legal and material arrangements are complex and not always certain, involving central and local government authorities of two countries, the port operator, and the private contractor.