

Immigration Detention in police custody Monitoring Network – Terms of Reference

Context

The Independent Custody Visitors Association (ICVA) is a membership organisation of volunteers that make unannounced visits to police custody to check on the rights, entitlements, wellbeing and dignity of detainees held in police custody. The ICVA is funded by the Home Office, Policing Authority and Police and Crime Commissioner (PCC).

The Independent Monitoring Boards (IMB) is a membership organisation of Boards comprised of volunteers that monitor the treatment and conditions in prisons and immigration detention. The IMB is funded by the Ministry of Justice and the Home Office.

The Association of Visitors to Immigration detainees (AVID) is a national charity that supports volunteer visits to people in immigration detention. AVID has member groups that visit every immigration detention centre and some prisons and the role of AVID is to ensure that every person affected by detention has access to a visitor.

Aims

The monitoring network will share information and learning on the experience of those held in police custody under immigration powers across the UK.

Objectives

The purpose of the monitoring network is to:

- Establish regular engagement between the ICVA, IMB and AVID as organisations with an interest in the treatment of people held under immigration powers in the UK.
- Acknowledge the specific needs of detained people in police custody.
- Provide a forum to enable greater information sharing on key concerns, trends and issues facing individuals held under immigration powers in police custody.
- Escalate issues of concern for further consideration.
- Recognise any effect of being held in police custody, on subsequent immigration detention.
- Identify channels for greater communication between parties monitoring police custody and immigration detention.

Scope

The scope of the network will be focused on the treatment of and conditions for those held under immigration powers in police custody. Consideration will also be given to how treatment and conditions in police custody may impact individuals when they are held in settings visited by the IMB and AVID.

Values

There are times when people will be detained in police custody under immigration powers. However, the network works on the principles that:

1. police stations are not designed for the purpose of immigration detention;
2. those detained under immigration powers have specific needs, rights and entitlements;
3. police stations should only be used to detain people under immigration powers as a last resort, with consideration for the best outcome for the detained person, and for the shortest possible time.

Data sharing

The information shared during meetings will be thematic. No personal information regarding detained individuals, staff, members of the public, volunteers or otherwise will be shared between participants. Any incidents or issues relating to individuals discussed during meetings will be anonymised. All parties will comply with:

- Data protection legislation
- HM Government's Security Policy Framework:
<https://www.gov.uk/government/publications/security-policy-framework>
- The Information Commissioner's Office (ICO) Framework Code of Practice for sharing personal information:
<https://ico.org.uk/for-organisations/uk-gdpr-guidance-and-resources/data-sharing/data-sharing-a-code-of-practice/about-this-code/>

Network Meetings

- Meeting will take place at six monthly intervals.
- Additional or extraordinary meetings may occur as necessary and agreed by the network.
- The Meetings will be Chaired by the ICVA.
- Any minutes or actions produced will be shared with the staff leads for each organisation following the meeting.

Review and revision

- The network will review this terms of reference after the first two meetings of the group and thereafter annually. Any amendments will be made by agreement with the network.

These ToRs were agreed by the network on 8th April, 2024.