



Home Office

# **Detention Services Order 01/2020**

## **Detainee Access to Video Call Service**

June 2020



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# Document Details

**Process:** To set out the provision for video calls within the immigration detention estate, excluding non-residential short-term holding facilities.

**Implementation Date:** June 2020

**Review Date:** June 2022

**Version:** 1.0

## Contains Mandatory Instructions

**For Action:** All Home Office staff and suppliers operating in immigration removal centres (IRC), Gatwick pre-departure accommodation (PDA) and residential short-term holding facilities (STHF), Detainee Escorting Population Management Unit (DEPMU) staff and escort supplier staff.

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**Processes Affected:** This DSO sets out instructions to ensure that detainees have reasonable access to a video calls service whilst detained.

**Assumptions:** All staff will have the necessary knowledge to follow these instructions.

**Notes:** This DSO does not apply to non-residential short-term holding facilities. There are no previous DSOs on this subject.

# Instruction

## Introduction

1. This Detention Services Order (DSO) provides instructions for all staff in IRCs, Gatwick PDA, residential STHFs, as well as escorting staff and DEPMU. This excludes immigration detainees accommodated in holding rooms (non-residential short-term facilities).
2. Two different Home Office teams operate in IRCs:
  - Detention and Escorting Services Compliance team (Compliance team)
  - Immigration Enforcement Detention Engagement team (DET)

The Compliance team are responsible for all on-site commercial and contract monitoring work. The DETs interact with detainees face-to-face on behalf of responsible officers within the detention centres. They focus on communicating and engaging with people detained at IRCs, helping them to understand their cases and detention. DETs are managed by an on-site Home Office DET manager.

There are no DETs at residential STHFs, functions which are the responsibility of the DET in RSTHFs are carried out by the Escorting Contract Monitoring Team (ECMT).

## Purpose

3. The purpose of this order is to ensure that detainees have reasonable and regulated access to a video call service whilst ensuring that the security of the immigration detention estate is not undermined.
4. For the purpose of this guidance, “centre” refers to IRCs, RSTHFs and the Gatwick PDA.

## Procedures

5. Video call services, that is services accessible from a browser to facilitate video conversations, have been introduced in IRCs and residential short-term holding facilities to improve links between detainees and their friends and families.
6. Staff activity in regard to monitoring use of the video call service should comply with the standards set out in DSO 2/2015: Regulation of Investigatory Powers Act 2000 (RIPA), which states that staff in centres can undertake general observations, or surveillance, as part of their daily duties.

## Provision of Video Call Service

7. Each centre must ensure that a video call service is available for use over a minimum period of seven hours every day.
8. Detainee Custody Officers (DCOs) will be responsible for setting up, facilitating and supervising the calls at the scheduled times. It is accepted that individuals being called may have children present with them, but prior to the call commencing a DCO will carry out a visual check to confirm that the main recipient of the call is an adult.
9. Video call services will also be made available to detainees for the purpose of contacting their legal advisers. Wherever possible these calls will be given priority and privacy will be provided by DCOs.
10. Whilst third party recording of the call is prohibited, DCOs should be reminded that it cannot always be prevented, and they should always conduct themselves professionally. Before receiving access to the video call service, detainees will need to sign up to the individual centre's compact outlining acceptable use policy for video calls. Before access to the video call service can be granted detainees must understand and sign, the centre compact, a sample of which is at Annex A.
11. Video callers and detainees will be expected to dress appropriately and supervising staff have the right to terminate the video call where the terms of use are breached or the security of the centre is put at risk. Supervising staff may use body worn cameras to record any breach of the terms of use, either by the detainee or the video caller.
12. Any evidence of a video call being recorded by a third party will result in termination of the call. All incidents of video calls being terminated by supplier staff will be referred to the centre's security department for investigation in line with DSO 11/2014 Security Information Reports.
13. The service will be delivered through a fixed PC terminal with a built-in camera or a tablet that is appropriately secured in a readily accessible area of the centres for detainees. Direct supervision of the calls should be kept to a minimum to assure detainees that as much privacy is afforded as possible. In areas where the peripheral view of the camera is a concern, privacy frosting film or similar should be considered to restrict that view.
14. The video call service will only be made available to detainees who are subject to Multi Agency Public Protection Arrangements (MAPPA), a restraining order or any other harassment control measure based on individual risk assessments being carried out. Where there is evidence that a detainee has not complied with the individual centre's compact outlining acceptable use policy for video calls, the Centre Manager may decide to restrict access to the service or in some cases withdraw access altogether in line with the procedures set out in paragraphs 14 -15 of this DSO.

15. Regulated access to the video calls service will be provided to detainees, subject to the detainee signing up to the individual centre's compact. Where it is determined that the detainee has an insufficient knowledge of English to understand the acceptable use policy, the policy should be read to the detainee and explained in a language that they understand.

## Monitoring and Audit

16. The suppliers at each centre must ensure that the infrastructure is robust and secure and that effective security measures are in place to prevent unauthorised access to the video call service. The centre's local Security Strategy Document should include a reference to the video calls provision. This document will be reviewed annually by both the Home Office compliance team and centre manager.
17. A decision to suspend access to the video call service can be taken by the supplier Centre/Deputy Centre Manager, for example for security or safety reasons or because a detainee is in breach of the centre's acceptable use policy on the use of the video call service. A decision to suspend access to the video call service must be recorded and the detainee notified in writing of the suspension and the reason for it. A decision to suspend should not be used as a sanction for wider non-compliance by a detainee.
18. The Compliance Manager must be notified of any suspension and the reasons for it. Any suspension exceeding a period of 1 week must be authorised by the Compliance Manager and reviewed on a weekly basis until suspension has ended. The detainee can appeal any suspension, providing reasons in writing to the Supplier Centre/Deputy Centre Manager, who will make a decision within 48 hours. For detainees with imminent removal directions, the decision should be made within 12 hours. Alternative methods of access to legal services must be provided to those detainees who are suspended from video calling.
19. The DCO is responsible for setting up and supervising the video call. If the DCO has any concerns about the nature of the video call or safety of the recipient, they have the right to terminate the video call. The DCO must record their concerns and/or observations in an incident report and submit this to the centre's security team for review.

## Annex A

### Video Calls: Compact

Before access can be granted you must understand and sign, confirming your agreement to the rules set out below:

No video or audio recordings are taken from the video call. We will only log the date, the time, and the duration of your call.

Privacy will be respected so far as practicable during your call, but video call sessions may be visually supervised by staff

Sessions will be available in xx slots [Slots should be between 30-60 minutes]

Video callers and detainees will be expected to be dressed appropriately – not in swim wear or underwear for example

Supervising staff have the right to terminate the video call where the terms of use are breached or the security of the centre is put at risk

Supervising staff may use body worn cameras to record any breach of the terms of use, either by the detainee or the video caller

Any evidence of a criminal offence having occurred will be referred to the police

Video calls must not be recorded in any way (audio or visual) or published (which includes uploading to a website such as YouTube). Evidence of recording will result in the call being terminated and the evidence passed to the police

A video call will be terminated as a result of foul or abusive language, sexualised behaviour, or any behaviour that is deemed inappropriate by supervising staff

A breach of the terms of use may result in a ban from booking future video call sessions

### Code of Conduct

#### You must:

- Be conscious of and respect other users
- Report any concerns from the call to a member of staff
- Co-operate with the supervisor at all time and comply with any instructions given
- Report any breach of this policy by yourself or others to the centre supplier without delay.



**You must not:**

- Use the video call service to engage in any unlawful activity
- Configure or change any settings on the equipment
- Share your screen or display any material which is unlawful or is likely to cause offence to others, including pornographic, racist, or homophobic material.
- Record the call, any evidence of a video call being recorded by a third party will result in termination of the call.

**AGREEMENT**

I have read and understand the contents of this policy concerning the use of video call and agree to abide by its terms and condition. I understand that any breach of this policy may result in me being suspended from using the video call service. I also understand that any attempt to engage in any unlawful activity will be reported to the police and may result in criminal prosecution.

Name

Signature

Date