

Corporate Watch¹⁰ tenth anniversary 1996 - 2006

www.corporatewatch.org.uk

about

news

company files

research

reports

resources

donate

contact

stuff

Reports

Overview
G8 Report

CHECKOUT CHUCKOUT: Food
and Agriculture Report

NANOTECHNOLOGY REPORT:
What it is, and how
corporations are using it

ID CARDS

UK COMPANIES IN IRAQ

SCHOOL MEALS Report

Subscribe

Receive Corporate Watch News
via e-mail:

SUBSCRIBE

About Us

About Corporate Watch
Support our work
Contacts & Links

Corporate Watch

16b Cherwell St
Oxford OX4 1BG
United Kingdom
t: +44 (0)1865 791 391
e: mail@corporatewatch.org

SCOTLAND PLC: Immigration and asylum in Scotland

home >> reports >> g8 report >> scotland plc: immigration and asylum in scotland

On July 22nd 2004 the most recent piece of British asylum and immigration legislation received royal assent, further extending the legal framework that regulates immigrants and asylum seekers in the UK. As an area of British law, immigration and asylum has received an almost unprecedented amount of legislation recently, the latest Act being the fifth in only eleven years. This 'legislative incontinence'¹ reflects the great interest and political importance made of the immigration and asylum issue. It is an area that has seen not only incredible domestic focus but also much attention at EU level where there are moves towards increased European co-operation and management.²

However, immigration and asylum have rarely appeared on the agenda of G8 Summits except as a side mention in matters such as migrant smuggling, trafficking and terrorism. Governments' right to encourage the movement of people considered to be beneficial for economic growth and international relations and to delegitimise unwanted populations remains unquestioned in this arena. Conversely, protesters at G8 Summits have repeatedly mobilised around the issue as governments have tightened border controls and, within a context of highly politicised and media-fueled moral panic and fear, designed increasingly punitive and draconian regulations against migrants. This is an attempt to outline the immigration and asylum system infrastructure as it exists today in Scotland.

The immigration and asylum system in the UK is managed by the Home Office's Immigration and Nationality Directorate (IND). The majority of related activity and headquarters are in England, however there is some infrastructure in Scotland. Like most areas of government activity, where possible services are contracted out to private business and charitable organisations.

Home Office infrastructure in Scotland includes the UK Immigration Services, which is involved in border control and enforcing immigration law in Scotland. It has staff at all ports including an enforcement unit based at Glasgow Airport, Paisley. The IND has a public enquiry office in Govan, which accepts a limited number of immigration applications by appointment only. In September 2003, asylum claims stopped being accepted here and asylum seekers were expected to travel to England to register their claims, despite the policy at the time to withdraw support if an asylum claim was not made within effectively 24 hours of arrival.³ Following pressure the office now accepts asylum applications from families and those with 'special needs'.⁴

Since November 2004 the complex of buildings at Govan also houses the National Asylum Support Services (NASS), which is currently involved in a programme of regionalisation, four years

G8 Report

Report Update: The M74
Report Update: The Commission for Africa and corporate involvement
Executive summary

Introduction

The Summit: Better living through corporate rule?

The Summit: Climate change, Africa and oil

The Summit: The G8 and the arms trade

The G8 Gleneagles

Summit: The Gleneagles Hotel

The G8 Gleneagles Summit: Diageo Plc

GLENEAGLES: Lexis PR and corporate sponsorships

SCOTLAND PLC: The "Scottish" Economy

SCOTLAND PLC: The Scottish Executive's corporate links

SCOTLAND PLC: Land Ownership in Scotland

SCOTLAND PLC: The Oil and Energy Industry in Scotland 1

SCOTLAND PLC: The financial industry in Edinburgh

SCOTLAND PLC: The military and the arms trade in Scotland

SCOTLAND PLC: Immigration and asylum in Scotland

SCOTLAND PLC: The fishing and farmed fish industry in Scotland

SCOTLAND PLC: The food industry in Scotland

SCOTLAND PLC: Transport in Scotland

SCOTLAND PLC: High Tech Scotland

SCOTLAND PLC: The Scottish Media

G8 Scotland Contacts

G8 Poster

after its creation to administer asylum support. Scotland is also home to one court in Glasgow where asylum and immigration appeals are heard and the isolated Dungavel 'removal' centre near Strathaven in Lanarkshire. There is also a number of independent charitable advice and support agencies. The Scottish Refugee Council's one-stop advice service in Glasgow is funded by the Home Office.

There are asylum seekers and recognised refugees (with rights to reside, work and access social security) living throughout Scotland. Like most places, Scotland has a long history of immigration and as a place of refuge.⁵ Furthermore Scotland's immigration issues are more commonly focussed on a declining population, with Scotland having the fastest declining population in Europe.⁶ Tensions around the issue of asylum, however, are great and this tension dramatically increased due to a new government policy that created sudden influxes of asylum seekers to certain, particularly deprived, areas throughout the UK.

The 1999 Immigration and Asylum Act allowed for destitute asylum seekers to be 'dispersed' in order to be housed. Housing is offered on a 'no choice' basis, in areas where housing stock is secured according to contracts arranged by NASS. In July 2003 the right for asylum seekers to work was removed, forcing all those without social networks to apply for government social support, resulting in greater control of this population and their movement away from the expensive south of England.

Glasgow is the only Scottish city that was given contracts for housing asylum seekers. Glasgow City Council was granted a contract for 2,500 'units' per year over 5 years for housing that it otherwise had been unable to let out. YMCA Glasgow also received a contract. These contracts are to be extended for a further 15 months in April 2005. With a 68% downturn in UK asylum applications since 2002,⁷ it is expected that no new housing providers will be contracted in. Glasgow thus went from having a relatively non-existent population of asylum seekers to, as a city, having the highest number of NASS supported asylum seekers in the UK, with 5,665 receiving support there in December 2004. This is around 9% of the total number of asylum seekers receiving support in the UK.⁸ Forty percent of asylum seekers in Glasgow are housed in the north of the city,⁹ mainly in some of the most deprived areas.

The issue of asylum seekers has become highly topical, mainly because of its exploitation for political gain but also because of the very real problems faced as a result of such sudden, ill thought-out and insensitive demographic change. Problems of racial harassment have been of great concern, with violent attacks against asylum seekers repeatedly hitting the headlines. The Accounts Commission further confirmed that the reporting of racially motivated incidents in Scotland had increased by 40% in the last three years.¹⁰ Positive Action in Housing found a 75% increase in racist attacks between 2003 and 2004 primarily due to attacks on refugees and asylum seekers. A report by the North Glasgow Social Inclusion Partnership showed that 93% of refugees and asylum seekers interviewed said they felt unsafe in their neighbourhood at night, compared to 29% of other respondents in the same area.¹¹

Scottish Government research also shows that initial problems in the delivery of appropriate services for asylum seekers were great, with insufficient preparation and a steep learning curve for all agencies involved.¹² These services continue to be criticised as being dehumanising and not designed to give any quality of service. For example in 2002 protests were organised by those accommodated by the YMCA due to its restrictive policies.¹³ Research into housing shows that in the North Glasgow regeneration area 92% of asylum seekers/refugees live in multistorey flats and only 54% of asylum seekers/refugees live

in properties with central heating, compared to 83% of other residents.¹⁴

Scotland is one of the locations of a further experiment in the management of asylum seeker populations. Following press reports, parliamentary questions confirmed that the IND was to procure a private contract in Scotland for a project to pilot the electronic tagging of asylum seekers.¹⁵ This project began in Glasgow in December 2004 with 35 asylum seekers being subject to voice recognition monitoring. It is expected that this will be extended to another 35 asylum seekers and that some may be tagged.¹⁶ This pilot is being run in parallel with projects in England and Wales, which in total are to involve 200 people for voice recognition and up to 50 people for tagging (including up to 10 on satellite tracking).¹⁷ Reliance Monitoring Services (RMS), which manages a reporting centre in East Kilbride, is to run the project for the IND in Scotland.

If the pilots are successful the Home Office is understood to want to extend these procedures to 180,000 asylum seekers throughout the UK. Spun by the Home Office as an alternative to detention centres, campaigners have criticised these measures for being inhumane and reinforcing the public perception of asylum seekers as criminals.¹⁸ Campaigners have also expressed concern about how potential problems with the technology may affect asylum claims. Despite concerns over the technology¹⁹ the sanctions on those who fail to comply with electronic monitoring conditions currently include detention and/or prosecution with a penalty of up to £5,000 or six months imprisonment.

Reliance

RMS is a principal trading division of Reliance Secure Task Management Ltd (RSTM), whose registered offices are in Uxbridge England. RSTM also provides electronic monitoring services for the Scottish criminal justice system. This contract, which was originally for three years and had been estimated to be worth £30 million, was recently extended by the Scottish Executive until March 31 2006 for a further £8 million.²⁰ Reliance Custodial Services Limited, another trading division of RSTM, also holds a £150 million 7-year contract in Scotland for the provision of prisoner escorting and court services.²¹ Problems around this service have included the accidental release of 12 prisoners, including a convicted murderer, leading to regular calls for Cathy Jamieson, Scotland's Justice Minister, to resign.²² The RSTM annual reports states that profit before tax for the year to April 2003 rose by 122% to £1,820,286. In April 2004 profits before tax were at £3,474,000.

RSTM is a subsidiary of the Reliance Security Group which is engaged in a wide range of activity including the provision of contract security, electronic surveillance, facilities management and support services in the UK. Its work also includes the provision of security services to major construction projects encountering disruption via 'highly organised protest groups' and the provision of police custody services, such as reception duties, post-charge administration, detainee care and catering, as part of PFI contracts. The group exists as a public company with an annual turnover of £292 million. Its ultimate owner and company chairman, Brian Kingham, owns 70% of its shares. Kingham is one of Britain's 300 wealthiest people, worth around £137 million.²³ and one of the top 20 political donors, with a £30,000 donation to the Conservatives in 2003.²⁴ He is also active in campaigning against a European constitution and is a donor and patron to the Bruges Group, a lobby group opposing closer union with Europe, inspired and presided over by Margaret Thatcher.

Dungavel

Scotland is also home to Dungavel, one of the UK's immigration detention centres, euphemistically renamed 'removal' centres. These category C prison centres have been heavily criticised as inappropriate, damaging and inhumane particularly as detainees are often imprisoned for unlimited, unspecified periods of time without clear grounds.

Dungavel currently has 150 bed spaces, which includes a family unit. Despite the government's claims that detention is only used as a last resort Dungavel is due to increase its capacity by adding 44 male bedspaces and reducing the family unit to 16 spaces as part of a wider move to increase the UK's detention capacity to 2750 places.²⁵

Dungavel first opened in September 2001, when the Home Office said that it would only hold detainees for a few days. However, there are numerous cases of people, including children, being held from six to over 24 months. Between May 2002 and July 2003 36 children had been held for longer than six weeks, with four of those children being held for fifty weeks.²⁶ The impact of lengthy detention on detainees mental health has caused great concern. Positive Action In Housing (PAIH) has criticised Dungavel for not having a suicide prevention strategy, arguing that there is an emerging pattern where those under the strain of long term imprisonment are dumped into mainstream prisons when they are finally considered too vulnerable²⁷. The Scotman also has reported that there have been a number of suicide attempts and on 23 July 2004 a 23 year old man was found hanged at Dungavel.²⁸ NHS staff have also recently complained about the 'horrific' and degrading treatment of Dungavel detainees by security staff whilst accessing health care.²⁹ Another area of concern has been the difficulties for detainees in accessing adequate legal help and advice. There have been repeated calls for the closure of Dungavel including from the Bishop of Paisley John Mone who specifically asked for the closure of the family unit.³⁰

Dungavel is one of seven immigration detention centres in the UK that are managed by a private company on a profit making basis. (In total there are ten 'removal' centres in the UK.) It is operated by Premier Detention Services Ltd, a company set up specifically for the running of Dungavel. It is a subsidiary of Premier Prison Service Ltd and ultimately owned by Serco, with its registered office in Hampshire, England. Serco operates internationally as an outsourcing contractor, with 70% of its business in the UK. It delivers a diverse range of services from running local educational authorities (LEAS), maintaining speed cameras, railway stations and railway track to managing military companies such as the Atomic Weapons Establishment and building hospitals under PFI contracts. Ninety percent of its custom is from local and national governments.³¹ Serco in its 2003 annual report records an increase in total turnover of 17% to £1.6 billion, with before tax profits at £67 million.

A final area of activity often linked with 'removal' centres is that of the transportation and removal of detainees, which is another area of the asylum and immigration system contracted out and run for profit. The transportation of detainees has come under intense scrutiny due to claims of assault of escortees. The Medical Foundation for the Care of Victims of Torture (UK) published a report documenting excessive force used against asylum seekers during the process of removal, and concluded that 'a practice of abuse exists'.³² Barriers to taking effective action against the perpetrators of this abuse include lack of evidence, lack of access to medical assessment and financial assistance for taking legal action. In response to the problems the Home Office has finally agreed to CCTV cameras being placed in all transportation vehicles.³³ Securicor Justice Services Ltd, following a merger with Group 4 Falck, is to take over all three

Scottish private prisons

There is currently only one privately run prison in Scotland, Kilmarnock in Ayrshire. It is run by Kilmarnock Prison Services, a direct subsidiary of Premier Custodial Group, which in turn is a subsidiary of Serco Group Plc. Until 2003 it was jointly owned by American detention giant Wackenhut. In 1997 KPS won the £130m 25-year contract to 'design, construct, finance and manage' HMP Kilmarnock.³⁵

Serco, Premier and other subsidiaries also run Ashfield Young Offenders' Institute, Dovegate and Lowdham Grange prisons and Colnbrook immigration detention centre in England.³⁶ Premier also has a contract for prisoner transport in London and south-east England.³⁷

Since Kilmarnock opened in 1999 it has been surrounded by allegations of abuse and incompetence, including a story from a former nurse at the prison who said prisoners' lives were being put at risk.³⁸ SNP leader John Swinney has called it 'the worst jail north of the border' due to high levels of misbehaviour such as arson³⁹ – an allegation denied by the Scottish Prison Service (SPS). To further unsettle things, Kilmarnock has a very high staff turnover, staff being sacked for a range of reasons from stealing chocolate bars to assaults on other staff. A 2004 report by Scotland's chief inspector of prisons stated that 'staff turnover continues to be very high compared to SPS, having increased since the last inspection report to a rate of 18.6% (from 14%) per annum.'⁴⁰

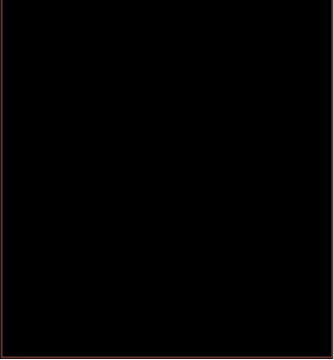

It has also been alleged that 70% of Kilmarnock's profits come from hidden subsidies from the Scottish executive. According to Swinney, 'Kilmarnock is the Executive's flagship private prison and is the model for their plans to privatise more of our jails. They are so obsessed with privatisation that they have been subsidising a private company's profits to the tune of nearly three-quarters of a million pounds simply to make it look more economic'.⁴¹

In light of this, the Scottish Executive's plan to build another private prison in 2005 at Addiewell in West Lothian looks ominous. At the time of writing, the contract has not yet been awarded for the Addiewell jail (a high security 700-bed men's prison) but there is a local campaign against it.⁴² In November 2003, Reliance Security obtained a contract for prisoner transport in Scotland.⁴³

References

1. Keith Best Director of the Immigration Advisory Service Speech July 2004
2. Bruno Waterfield, 'Security, justice and immigration - 19 measures decided including a plan for common deportation procedures for illegal immigrants,' 27.01.05 www.eupolitix.com/EN/News/200501/bd0a7e18-5999-44a7-aba4-870edb2f365d.htm; BBC News, 'EU Plan "risks UK asylum powers"', BBC Report on discussion of five year cooperation plan, 14.10.04 http://news.bbc.co.uk/1/hi/uk_politics/3741870.stm , Last viewed 21.03.05
3. Section 55 was implemented on 08.01.03 and meant that those who did not apply for asylum 'as soon as reasonably practicable' could be denied support. Sixteen months later, following widespread destitution, legal challenges forced the Home Office to stop its practice of refusing support to those who did not effectively apply immediately on arrival. For further info please see Refugee Council, 'UK Asylum law and process - Section 55: withdrawal of support from 'in-country' asylum applicants' www.refugeecouncil.org.uk/infocentre/asylumlaw/s55/s55_intro.htm, Last viewed 21.03.05
4. Scottish Refugee Council Briefing, Changes to Right to Claim Asylum in Scotland, October 2003 www.scottishrefugeecouncil.org.uk/Documents/Claiming%20asylum.pdf Last viewed 21.03.05
5. For further information please see www.movinghere.org.uk/ or www.onescotland.com
6. BBC News, 'Population Number Drop "Delayed"' 30.09.04

- <http://news.bbc.co.uk/1/hi/scotland/3703358.stm> Last viewed 21.03.05
7. Home Office Research Development Statistics, Asylum Statistics: 4th Quarter 2004 United Kingdom
www.homeoffice.gov.uk/rds/immigration1.html Last viewed 21.03.05
 8. Asylum Support, Inter-Agency Partnership News 46 Dec 04 published by the Refugee Council
 9. Scottish Refugee Council Briefing, Asylum Seekers and Refugees in Scotland September 2003
www.scottishrefugeecouncil.org.uk/Documents/Scotland.pdf Last viewed 21.03.05
 10. Accounts Commission, Police & fire - Performance Indicators 2003/04, published 10.12.04
www.audit-scotland.gov.uk/publications/pubs2004.htm Last viewed 21.03.05
 11. North Glasgow Social Inclusion Partnership (2004) Baseline statistical update 2003: Asylum Seeker and Refugee report
www.northglasgowpartnership.co.uk/pdf.pl?file=ngsip/file/BaselineASR54-55.pdf Viewed 21.03.05
 12. Aileen Barclay, Alison Bowes, Iain Ferguson, Duncan Sim and Maggie Valenti, University of Stirling, Asylum Seekers in Scotland, Social Research 2003 www.scotland.gov.uk/library5/social/asis-00.asp
 13. 'Hunger Strike against NASS,' National Coalition of Anti-Deportation Campaigns Newszine 26 April, May and June 2002
www.ncadc.org.uk/archives/field%20newszines/News26/nass.html Last viewed 21.03.05
 14. North Glasgow Social Inclusion Partnership, *ibid.*
 15. House of Commons Hansard Written Answers for 19.07.04 (pt 19), Column 69W
www.publications.parliament.uk/pa/cm200304/cmhansrd/cm040719/text/40719w19w.htm, Last viewed 22.03.05
 16. Lucy Adams, 'Anger at electronic monitoring of asylum seekers' The Herald December 29, 2004
 17. House of Commons Hansard Written Answers for 01.09.04, Column 833W
www.publications.parliament.uk/pa/cm200304/cmhansrd/cm040901/text/40901w38.htm Viewed 23.3.05
 18. For further info please see JCWI website: www.jcwi.org.uk/currentnews/Electronic%20monitoring%20article.pdf
 19. It was reported that Reliance lost its English prison service electronic tagging contract in the wake of allegations surrounding malfunctioning equipment. Reliance confirmed problems with 20% of its assigned cases. Dan McDougall, 'Company linked to Scotland's Prisoner Escort Service Loses English Jail Deal' The Scotsman 19.10.04
 20. 'Reliance tagging contract extended for a year,' The Scotman 10.01.05
<http://news.scotsman.com/topics.cfm?tid=218&id;=29232005> Last viewed 22.03.05
 21. Reliance Security Group Press Release, 'Scottish Prisoner Escorting Contract Award' 04.11.03
www.reliancesecurity.co.uk/news_events/press_releases/view.asp?id=134 Last viewed 22.03.05
 22. See note 20
 23. 'Rich List 40' The Sunday Times 18 April 2004
 24. 'The Top 20 Political Donors' The Sunday Times (London) 27 April 2003
 25. 'Home Office Provision for detention in 2005' 'Inter-Agency Partnership News 46 Dec 04 The Refugee Council
 26. HM Inspectorate of Education, Update on Educational Provision Dungavel Immigration Removal Centre South Lanarkshire (Edinburgh) Aug 2003
www.homeoffice.gov.uk/docs2/dungavelupdate.pdf Viewed 22.03.05
 27. Positive Action in Housing, Dossier on Dungavel Removal Centre Year Three 03.09.04
www.paih.org/archives/campaigns/dungavel/Dungavel%20Removal%20Centre.doc , Last viewed 22.03.05
 28. Kate Foster, 'Fury Grows at Dungavel Suicide' The Scotsman 25.07.04
<http://news.scotsman.com/topics.cfm?tid=33&id;=850732004> Last viewed 22.03.05
 29. Liam McDougall 'NHS staff angry over the use of armed guards and handcuffs for asylum seekers' Sunday Herald 30 Jan 2005
 30. 'Bishop in fresh Dungavel appeal' BBC News 3 January 2004
<http://news.bbc.co.uk/1/hi/scotland/3365035.stm>
 31. For further information please see the Serco website www.serco.com
 32. Ellie Smith, Dr Charlotte Granville-Chapman and Neil Moloney, 'Harm on Removal: Excessive Force against Failed Asylum Seekers,' Medical Foundation for the Care of Victims of Torture Report October 2004, p.46
www.torturecare.org.uk/publications/reportAsylum.htm Last viewed 22.03.05
 33. 'Alleged Assaults in Vans – CCTV at last!' In Touch - AVID Periodical No 17 21.10.04
www.aviddetention.org.uk/intouch17.htm Last viewed 22.03.05
 34. Securicor UK, 'Securicor wins Immigration Contract' Securicor News 20.12.04 www.securicor.com/uk-newsshow.htm?id=14804
 35. Serco Press packs 1997, 'Kilmarnock Prison Services (Holdings) Limited ("KPS") completes contract to design, construct, finance and manage Her Majesty's Prison, Kilmarnock' 12.11.97
www.serco.com/media/presspacks/1997/004_1997.asp Last viewed 22.03.05
 36. Public Services International Research Unit, Prison Privatisation Report International No 63 July 2004 (London)
www.psir.org/justice/ppri63.htm#UNITEDKINGDOM Last viewed 22.03.05
 37. Public Services International Research Unit, Prison Privatisation Report International No 60 January/February 2004 (London)
www.psir.org/justice/ppri60.htm#UNITEDKINGDOM Last viewed 22.03.05
 38. *Ibid.*
 39. BBC News, 'Tempers fray over private prison,' 01.09.02
<http://news.bbc.co.uk/1/low/scotland/2229170.stm> Last viewed 22.03.05

- 
- 
40. Ibid.
 41. Public Services International Research Unit, Prison Privatisation Report International No 48 June/July 2002 (London) www.psiru.org/justice/ppri48.asp#UK Last viewed 22.03.05; Stephen Kahn, 'Executive under fire for payouts to 'flagship' of prison privatisation,' The Observer 28.07.02
 42. Stop the prison flyer, www.stopthepriison.pwp.blueyonder.co.uk/oldsite/#flyer; Public Services International Research Unit, Prison Privatisation Report International No 60 See note 354; Chris Mooney, 'Visitors vow to fight public jail,' The Scotsman 03.12.04 last viewed 31.3.05
 43. SPS Key Documents, 'Prisoner Escort and Court Custody Services for the Scottish Criminal Justice System in Scotland Schedule 6 Implementation Schedule,' www.sps.gov.uk/keydocs/reliance/html/Schedule_6_Implementation_Programme.htm, Last viewed 22.03.05