

# **Investigation into border security issues at Heathrow and European Operations**

## **Terms of Reference: David Wood**

1. To investigate and report on the circumstances relating to the suspension of Fingerprint Verification Checks at Heathrow Airport which have occurred since 1.1.11.
2. To investigate and report on the circumstances relating to the suspension of Warnings Index Checks on adults travelling by vehicles through Calais which have occurred since 1.1.11.
3. To investigate and seek assurance that Fingerprint Verification Checks and Warnings Index Checks protocols have been followed correctly at other ports and airports.
4. To consider who gave instruction for the suspension of these controls and the culpability of any individuals in relation to these issues. Any information that emerges from this investigation might be used in misconduct proceedings. If it is decided to instigate misconduct action the procedures outlined in the misconduct policy will be followed.
5. To bring any other related issues identified to the attention of the Chief Executive of the UK Border Agency.

Note: The Home Office misconduct process normally takes 20 days but this investigation will be completed as quickly as possible within that time.

## **Terms of Reference: Mike Anderson**

1. To oversee the investigation led by David Wood into UK Border Force officials Brodie Clark, Carole Upshall and Graham Kyle, providing independent advice as needed.
2. To provide assurance to the Permanent Secretary and Home Secretary that the investigation is rigorous, thorough and reaches accurate conclusions as rapidly as possible.
3. To consider, in light of all of the evidence uncovered, whether there are grounds for the investigation of other officials and ensure that they are brought to the attention of the Chief Executive of UKBA, the Permanent Secretary of the Home Department and the Home Secretary.
4. To ensure that any additional investigation required into other UK Border Force officials, based on that evidence, is brought within scope of David Wood's investigation immediately. To assure any such investigation as at 2.

Note: the Chief Executive of UKBA will also refer such additional individuals to David Wood's investigation as he sees fit.

## **Independent Investigation**

### **Terms of Reference: John Vine, Independent Chief Inspector**

1. To investigate and report on the level of checks operated by the UK Border Agency at ports in light of the operational requirements approved by Ministers and report any potential risks to border security created by any unauthorised relaxation.
2. Establish the effectiveness of management oversight in the UK Border Agency including the guidance given to staff on the checks to be undertaken, the levels of authorisation required for any relaxation of checks, whether any unauthorised relaxation of checks occurred and, if so, the reasons why they occurred and whether any assessment of the risk was made and communicated.
3. To investigate and report on the accuracy and consistency of record-keeping at ports in that period and make recommendations on the management information and assurance systems that are required in the UK Border Agency, both locally and nationally, to ensure compliance with all required border security checks.
4. To review and report on any work put in place in UKBA since 4 November 2011 to improve security at the border including arrangements to ensure compliance with all required border security checks.
5. To make any further recommendations on whether operational changes are required to ensure that checks are being operated within the framework approved by Ministers.