



Short thematic report by HM Inspectorate of Prisons

## Detainee escorts and removals:

A thematic review

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# Introduction

The behaviour of immigration escort staff involved in removing detainees, particularly those resisting removal, has been a focus of concern for some time. The 2005 investigation by the Prisons and Probation Ombudsman, following a BBC documentary, noted the potentiality for abuse and the need for robust management and more effective monitoring. More recently, legal and voluntary organisations collected a dossier of cases of serious concern in *Outsourcing abuse*, which are now the subject of independent investigation by the former Northern Ireland Police Ombudsman.

Independent inspection of escorts is particularly problematic. Those being escorted are, by definition, a transient population, many of whom will leave the UK afterwards. The presence of inspectors on escorts is itself likely to influence behaviour. It is therefore essential that there are built-in safeguards to minimise the possibility of over-enthusiastic use of force, or abusive behaviour, and to ensure that those being escorted have the fullest opportunity to complain if they believe they have been ill-treated. This short thematic inspection found, however, that there were considerable gaps and weaknesses in the systems for monitoring, investigating and complaining about incidents where force had been used or where abuse was alleged.

Inspectors interviewed detainees in the Heathrow short-term holding facilities, accompanied detainees being removed, spoke to detainees who had been returned to Colnbrook Immigration Removal Centre following a failed removal, and examined 66 escort-related incident reports held by the UK Border Agency's Detainee Escorting and Population Management Unit (DEPMU).

The interviews in the short-term holding centres underlined problems that we have frequently referred to in previous inspections of such facilities: long and exhausting journeys, inability to access medication or possessions, and poor communication with non-English speaking detainees to relieve their anxieties. While the use of the separation, or 'returns', room was better regulated than previously, the care and support of those who were vulnerable or self-harming was inconsistent and sometimes inadequate.

Some of the detainees interviewed at Colnbrook had no concerns about their treatment. However, several others had been subject to force and some alleged abusive treatment or lack of proper medical attention. Equally, we were concerned that none of the Colnbrook detainees said that the complaints process had been explained to them.

Our observation of the inevitably stressful and distressing process of removal revealed variable practice. Most escorting staff behaved appropriately, but some acted in a way that drew attention to the detainee or aggravated the situation, without concern for the wellbeing of the detainee or indeed the eventual outcome. These extremes were evident in the same escort team. One officer was impatient and aggressive, inflaming the situation so that there was a swift resort to use of force; while another recovered the situation by quietly and calmly talking to the detainee on the plane and sorting out the practical problem that he was concerned about.

Safeguards in this process were singularly lacking. Not only were detainees not informed of how to complain, but escort staff themselves did not know what they would do if a complaint was made. DEPMU contract monitors were present at a proportion of escorts, but largely as observers: it was not clear what their role was, or the criteria that determined how and when they would intervene. Sometimes they appeared to be part of the escort team.

Incident reports, like observed removals, showed variable and inconsistent practice. It was not evident, for example, why force was used in one case but not in another. We also found examples of cases where reports of incidents that we had observed or noted should have been raised, but had not been. What was also clear was that in most cases the use of force did not assist removal, but in fact led to its abandonment. Medical examinations were not routinely carried out after the use of force or handcuffs, even when injuries were noted.

In three cases, detainees did not speak English, and no interpretation appeared to have been used, even though one self-harmed during the escort. A number of detainees had medical problems, and medical assistance was not always at hand. In other cases, removals were cancelled because of the absence of escort staff, or detainees were returned from countries that refused to accept them. One detainee whose judicial review had been successful at the last moment would have been removed had he not refused to board the plane.

Removal from the UK is an invisible and stressful process. It is essential that it is surrounded by effective safeguards to protect detainees, and that staff carrying out this difficult task are properly trained and supervised. This short report found worrying gaps and weaknesses in complaints and monitoring processes. It also found variable practice, with no evidence that the good and thoughtful approach of some staff was mirrored in clear and consistent standards of treatment, support and communication. This heightened the risk of ill-treatment or abuse, and was also likely to lead to failed removals.

Anne Owers  
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June 2009

# 1. Background

- 1.1 This short thematic review was conducted to explore immigration detainees' experience of escorts. HM Inspectorate of Prisons has already conducted seven inspections at ports and immigration removal centres specifically to examine the views of detainees who have recently been under escort. This thematic report focuses more acutely on those people who are about to be removed, often unwillingly, and therefore likely to pose a greater challenge to the professionalism of immigration escort contractors. It considers both in-country escorts, which escort detainees to the aircraft and leave them to fly alone, and overseas escorts, which are booked for potentially difficult removals, usually because detainees are thought likely to resist removal. In such cases, detainees are accompanied to their destination by a number of staff, often three detainee custody officers and sometimes a health professional.
- 1.2 There has been little research on the conduct of escort contractors, partly because of problems of access to the escort process. In 2005 Stephen Shaw, the Prison and Probation Ombudsman, carried out a special investigation<sup>1</sup> after a BBC documentary reported abusive behaviour at Oakington reception centre and during detainee escorts. The Ombudsman noted that it was, "on escorts – in particular, on escorts to aircraft prior to removal – that the potential for abuse of their legitimate authority by staff (and of misbehaviour on the part of detainees) is the greatest" (p.3). While noting the pressures that staff work under, he was critical of the interpersonal skills shown by some detainee custody officers and of weaknesses in procedures relating to use of force and complaints. He concluded that, "management must be more robust... monitoring must be enhanced and better informed. And the moral resilience of all those who work as detention and escort staff must be further encouraged..." (p.4).
- 1.3 In 2005, a study by Granville Chapman et al<sup>2</sup> of 14 failed removals found reported misuse of handcuffs in 11 out of 12 cases where detainees were handcuffed while being escorted, and concluded that "four cases of nerve injury support the testimonies of handcuff misuse" (p.211). While escorting staff are permitted to respond to resistance to removal with minimum, reasonable and proportionate use of force, the study concluded that: "The repetitive nature of the data might suggest that there are systematic problems occurring during removal attempts rather than merely isolated incidents" (p.211).
- 1.4 The most prominent recent publication on this issue is *Outsourcing Abuse*<sup>3</sup>, a dossier produced by several campaigning groups, which published details of 48 cases in July 2008. The report contains cases where escort contractors used by the UK Border Agency (UKBA) were considered to have resorted to an excessive use of force, causing injuries to detainees. Inappropriate use of handcuffing was highlighted as a major concern.
- 1.5 *Outsourcing Abuse* further alleged that companies employed escort staff who displayed racist attitudes, and who did not facilitate detainees who wanted to submit complaints. The report

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<sup>1</sup> Prison and Probation Ombudsman (2005), *Inquiry into allegations of racism and mistreatment of detainees at Oakington immigration reception centre and while under escort*.

<sup>2</sup> Granville-Chapman, Smith and Moloney (2005), 'Excessive force during removal of immigration detainees', in *Journal of Clinical Forensic Medicine* 12: 209–211. This article summarises the main findings of the report *Harm on Removal: Excessive Force against Failed Asylum Seekers*, which was written by the authors for the Medical Foundation in 2004.

<sup>3</sup> Birnberg Peirce and Partners, Medical Justice and the National Coalition of Anti-deportation Campaigns (2008), *Outsourcing Abuse: The use and misuse of state-sanctioned force during the detention and removal of asylum seekers*.

has led to the Home Secretary commissioning an independent investigation into the allegations, as yet unpublished<sup>4</sup>.

- 1.6 The fieldwork for this thematic review concentrated on Heathrow airport, as the port most likely to see removals and forced removals, and included interviews from the nearby Colnbrook residential short-term holding facility, which is likely to receive people whose removal has failed. For the first time, inspectors also accompanied a number of detainees during the process of removal, sometimes forcible, up to the point that the aircraft doors were closed before take off. We also examined a sample of incident reports submitted by escort contractors to the Detainee Escorting and Population Management Unit (DEPMU).

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<sup>4</sup> Led by Dame Nuala O'Loan, the investigation had not publicly reported at time of writing.



## 2. Methodology

- 2.1 The report incorporates inspections conducted at Heathrow airport from 9–11 December 2008, and at the short-term holding facility within Colnbrook IRC from 17–19 November 2008. A total of 37 detainees were interviewed, mostly at Heathrow, including nine using a telephone interpretation service. IS91 authority to detain forms, movement orders and any other attached documentation was inspected on both occasions. We also spoke to duty immigration staff and detention custody officers.
- 2.2 Most detainees at Heathrow were awaiting flights for removal from the UK at Queen's Building<sup>5</sup> short-term holding facility. At Colnbrook we focused on those detainees whose removal had failed for some reason, given concerns that such detainees are most likely to be subject to mistreatment<sup>6</sup>. Documentation held at Queen's Building, including incidents reports, 'returns' room and main holding room logs, was also examined. We were able to observe nine escorted removals during the inspection at Heathrow, from the point that the detainee left the holding room or exited an arriving escort vehicle, to the point of the aircraft's departure.
- 2.3 Inspectors also visited the DEPMU on 8 January 2009 and examined 66 escort-related incident reports from November and December 2008. Although we specifically looked for a number of overseas escorts reports relating to the incidents that we had observed or noted, none were available during our visit. One that we specifically requested (for detainee R7) was later sent on to us.

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<sup>5</sup>Queen's Building was closed in April 2009 and has been replaced by Caley House, a new facility. Like Queen's Building, it has a separation room. It also has a family room and a women's only room. It has not yet been inspected.

<sup>6</sup> Medical Justice (2007), *Outsourcing Abuse: the use and misuse of state-sanctioned force during the detention and removal of asylum seekers*.



### 3. Summary and key findings

#### Interviews with detainees at Heathrow

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- 3.1 While most detainees did not have excessively long journeys, some were subject to exhausting consecutive movements. In particular, two women had barely slept for two days; they arrived at Heathrow in the afternoon, were moved to Yarl's Wood in Bedfordshire in the early hours of the morning, and then returned to Heathrow following an eight hour journey. Both were frightened and disorientated by their experience, neither understood English, and one had a health problem and required medication. She had not been given her tablets even though her need for them was clearly marked on her IS91, and she had been trying to obtain them from her luggage. She only received her medication once staff were alerted by inspectors following an interview using an interpreter.
- 3.2 Several other detainees were unable to access their medication either at Heathrow or leading up to their transfer. IS91 documents contained some inappropriately detailed confidential medical information, including HIV positive and hepatitis B diagnoses.
- 3.3 Most escort staff were described as friendly and polite, but insufficient effort was made to communicate with non-English speakers about the removal process, heightening their anxiety and confusion. Addressing this issue would have made a genuine difference to many detainees undergoing one of the most stressful experiences of their lives.
- 3.4 The attempt to remove detainees without their possessions was a common concern and appeared to increase the likelihood of incidents at Heathrow.
- 3.5 Detainees generally reported that vans were clean and safe, and said they received comfort breaks. However, some complained that the vans were driven at excessive speeds, that they felt claustrophobic and that they were treated like criminals.
- 3.6 Most did not know how to make a complaint and had not been given information explaining how to do so.

#### The separation room at Heathrow

- 3.7 The use of the separation or 'returns' room at Heathrow was better regulated than at our last visit in July 2007, but there were some inconsistencies in its usage. It was not always easy to see why some detainees were held there, while others with apparently more concerning behaviour were allowed into the main holding area after a failed removal. This exposed shortcomings in the formal assessment of risk to justify use of the returns room.
- 3.8 The sample of returns room logs that we reviewed (125 in total) recorded incidents of self-harm or threats to self-harm for nine detainees. Responses varied from concerted positive efforts to engage with a distressed detainee to simply telling another detainee who was harming himself by banging his head on the wall to stop, without further intervention. This exposed a lack of systematic guidance and training to provide appropriate care and support to vulnerable and distressed detainees.

## Interviews with detainees at Colnbrook

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- 3.9 At Colnbrook, we heard mixed reports about treatment from escorts. Some detainees whose removals had failed reported no concerns about treatment from staff and said that they were polite. However, several others had been subject to force, and some alleged abusive behaviour by escorts and a lack of medical attention or prompt medical intervention. We could not locate an original incident report for the overseas escort case when we attempted to follow this up at DEPMU at the time of our visit, despite the availability of other reports from the same time period.
- 3.10 None of the detainees interviewed at Colnbrook said that the complaints process had been explained to them.

## Observed escorted removals<sup>7</sup>

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- 3.11 Many of the observed removals were highly stressful and dramatic events for detainees and for the staff who had to manage their distress and sometimes physical resistance to removal. The failure to provide detainees with their property before departure exacerbated tense situations on several occasions. High levels of staff professionalism and sensitivity were needed to manage these extreme situations; we found varied practice from both in-country and overseas escort staff.
- 3.12 Most escorts behaved in an appropriate way with distressed detainees, and there were several examples of firm but sensitive and discreet behaviour. However, several staff unnecessarily drew attention to removals or raised tension levels. In one case a non-escorted detainee was placed just in front of an escorted individual, and he worried that he might be seen as the 'troublemaker' by passengers. His requests for less conspicuous behaviour from overseas escorts were ignored. On another occasion, there was a contrast between the impatient and aggressive behaviour of one in-country escort towards a detainee, and the calm and ultimately effective negotiation from his colleague. The latter engaged a resistant detainee, upset because his property had not been returned to him, in quiet discussion, taking details with the promise that his property would be sent on to him. The priority for some staff appeared to be the quick operational resolution of individual situations, rather than the outcome of the removal or the wellbeing of the detainee.
- 3.13 Two detainees were restrained with handcuffs, in both cases in accordance with guidelines. In one case the handcuffs were checked by the escort contract monitor, but this was not done routinely. In most cases that we observed staff were careful to exercise only the minimum of coercive contact, but in one case a compliant detainee was held by the arm for no apparent reason. When we later examined incident reports at DEPMU, there were no reports of the two incidents where we observed force was used, though there were reports from the same period. One was provided to us some weeks later.
- 3.14 There was no standard means of informing detainees of complaints procedures and escort staff could not explain what they would do if a detainee wanted to complain. Given the need to

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<sup>7</sup> It is important to note that the presence of independent observers is likely to change the dynamics of staff-detainee encounters during detention and the removal process, although it is impossible to say to what degree. Staff have sometimes commented that our presence encourages detainees to 'play up', while detainees have commonly argued that it moderates staff behaviour and that we are not therefore seeing the 'true picture'.

ensure maximum scrutiny and safeguards in the mostly invisible world of removals, this was a serious shortcoming<sup>8</sup>.

- 3.15 The role of the DEPMU escort contract monitors was unclear. They did not work to any clear criteria and did not speak to detainees. Though well-intentioned, they seemed almost to be part of the escort team rather than independent scrutinisers ensuring appropriate treatment of detainees and acceptable behaviour by escort staff.

## Incident reports

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- 3.16 As with some of our observed removals, the sample of incident reports revealed concerns about escort staff behaviour that was likely to frustrate rather than support safe, calm and successful removals. The reports provided evidence of both the human impact of removal and the practical problems underlying the removal process, as well as inconsistent or poor escort staff practice. It was not always clear why force was used in one case and not in another. Some detainees who refused to comply were simply brought back to the holding area while others were forcibly taken to the aircraft.
- 3.17 Medical examinations were not routinely conducted after the application of restraints and other uses of force. A number of detainees had known medical problems but not all had access to health professionals, and three removals were cancelled because no health professionals were booked to accompany detainees on flights.
- 3.18 Most failed removals were due to resistant or unwell detainees, but some were due to escort staff shortages, and some detainees were returned to the UK because the home authorities refused to accept that their documentation was genuine. In one case, intimidating behaviour towards detainees by overseas escort staff appeared to have led to their last minute refusal to comply with the removal. In another case a detainee who refused to board a flight only found out that he had been granted a judicial review on return to the holding area.
- 3.19 There was further evidence of the lack of clarity about complaints procedures and a lack of interpretation in cases where it seemed necessary to safeguard the wellbeing of the detainee and to assist the removal process.

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<sup>8</sup> Notably, the Operating Standards for the Detention Services Escort Process, published by the UKBA in 2006, specifically outline the need for escorts to inform detainees of the complaints process.



## 4. Heathrow detainee interviews

- 4.1 In total, 30 detainees were interviewed between 8 and 11 December 2008 at Queens Building. One had travelled from Cambridge, three from Campsfield House IRC, one from HMP Chelmsford, six from Colnbrook IRC, one from Harmondsworth IRC, six from Oakington IRC, one from HMP Stafford, two from Tinsley House, two from HMP Wandsworth and five from Yarl's Wood IRC. One had travelled from an unidentified IRC close to Heathrow and another had come straight from a holding room at the airport where she had been questioned on arrival to the UK.
- 4.2 The inspection process consisted of general observation, examination of available documentation, including detainee transferable documents, detainee welfare records and movement notifications, and escort details recorded on detainees' IS91 forms. All 30 detainees were asked the same set of questions about:
- the journey length
  - the cleanliness and comfort of the vehicle
  - comfort breaks
  - escort staff–detainee relationships
  - the use of force
  - information provided about the escort van and the journey
  - property
  - complaints
  - medication
  - the consequences of movement.
- 4.3 Nine of the detainees interviewed had either a very basic or no grasp at all of English, and a telephone interpretation service was therefore used for these interviews. Of the 30 detainees interviewed nine were female and 21 male, and ages ranged from 21 to 58 years old. Their profiles\* were as follows:

|                       |                                                                                                                         |
|-----------------------|-------------------------------------------------------------------------------------------------------------------------|
| Campsfield House IRC  | Pakistani (M2)<br>Turkish (M3)<br>Sri Lankan (M11)                                                                      |
| HMP Canterbury        | Gambian (M21)                                                                                                           |
| HMP Chelmsford        | Tunisian (M4)                                                                                                           |
| Colnbrook IRC         | Unknown (M5)<br>Botswanan (F1)<br>Ghanaian (F2)<br>Pakistani (M6)<br>Senegalese (M7)<br>Nicaraguan (M8)<br>Unknown (M5) |
| Harmondsworth IRC     | Angolan (M10)                                                                                                           |
| Heathrow holding room | Japanese (F3)                                                                                                           |
| IRC (unidentified)    | Moldovan (M9)                                                                                                           |
| Oakington IRC         | Malaysian (M1)<br>Argentinean (M12)<br>Nigerian (M13)<br>Pakistani (M14)<br>Pakistani (M15)<br>Egyptian (M16)           |

|                   |                                                                                  |
|-------------------|----------------------------------------------------------------------------------|
|                   | Chinese (M17)                                                                    |
| HMP Stafford      | Nigerian (M18)                                                                   |
| Tinsley House IRC | Bangladeshi (M19)<br>Ghanaian (F4)                                               |
| HMP Wandsworth    | Brazilian (M20)                                                                  |
| Yarl's Wood IRC   | Filipino (F5)<br>Kenyan (F6)<br>Zambian (F7)<br>Brazilian (F8)<br>Brazilian (F9) |

\* F denotes the females included within the sample and M the males.

## Journey length

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- 4.4 Most detainees did not feel that their journey times were excessive. The length of journeys undertaken to reach Heathrow ranged from one hour to seven hours and 40 minutes for two Brazilian women (F8 and F9), whom we interviewed using a telephone interpretation service.
- 4.5 Both women were subject to an exhausting series of movements over a 48-hour period. They had arrived at Heathrow Terminal 4 at 4.10pm the previous afternoon, having been on the same long haul flight, although they did not know each other and had not been travelling together. They were then detained in Queen's Building until 11.20pm, at which point they were transported to Yarl's Wood in Bedfordshire, a journey that took three hours. F8 described being awoken in a 'brutal' fashion three-and-a-half hours later and ordered to 'grab [her] things straight away'. F9 said that she had been disturbed by staff checking on her during the few hours that she had to rest.
- 4.6 At 8.30am they were on the escort vehicle back to Heathrow, but did not arrive until nearly eight hours later, as the van went first to Morton Hall prison in Lincolnshire to pick up another detainee and then to Group 4 Securicor's (G4S) Feltham base for the van to be swapped. They eventually arrived at Heathrow at 4.10pm.
- 4.7 Neither understood English and both described being frightened (see paragraph 4.17) because they did not know what was happening to them or where they were going during each transport. They did not have an opportunity to shower at Yarl's Wood. Both were extremely tired and distressed when interviewed and F9's situation was aggravated by a medical condition that had not been picked up by detention staff (see paragraph 4.21).

## Conditions of the escort van

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- 4.8 Two individuals (M7 and M21) who had travelled for four hours described the conditions as uncomfortable and another (F7) complained that the van was too cold. One detainee (M11) said that he felt unsafe because of the speed of the van and the driver not slowing for corners. All other detainees stated that the vans were clean and that they felt safe. Four detainees said they felt claustrophobic and one, F4, had travelled with five other detainees. Several detainees said that it made them feel like criminals (M3, F3 and M12).
- 4.9 Only two individuals (M21 and F7) transported to Heathrow reported a problem with getting comfort breaks during their journey; either that they were denied a break or did not feel that they could ask for one. One detainee (F4) felt that the security measures during her comfort break were excessive, as she was escorted by two female officers who opened all doors for her and waited for her in the bathroom.



- 4.10 Food and drink were generally offered when required but one detainee (M11) complained that he was not given a drink when he asked. M21 said no comfort breaks were offered and that he was told he would have to wait until they arrived at Heathrow; however, the IS91 showed that a break had been offered and was refused.
- 4.11 The majority of detainees said that they were not sure how to make a complaint but none of them indicated that they wanted to make one. F7 said that she was worried that complaining might have gone against her. M7 said he had seen an information leaflet in the van and thought that it contained information on complaints, but no other detainee reported seeing such information.

### Escort staff–detainee relationships

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- 4.12 Detainees generally said that the escorts were friendly and polite, although they made little effort to communicate with non-English speakers. M7 was positive about the escort staff as they were friendly, asked him questions, and helped with his enquiries about paperwork relating to the Facilitated Removal Scheme, which he needed to go back to Senegal.
- 4.13 A few detainees were less positive. A Spanish detainee (M8) said that the lack of verbal or written information in his language meant that none of his questions were answered. F8 said that she was treated with respect by the escort staff, but was made to feel nervous because they spoke to each other but did not interact with the detainees. She felt that basic interpretation would have greatly improved her experience.
- 4.14 M11 noted an ostensibly small issue that increased his anxiety: the way that staff loudly slammed the van door, which shocked him on each occasion. He also described the escorts as rude, as they had made dismissive hand gestures when he requested a drink. M8 said that the escorts forcefully directed him in and out of the van but did not use overt force or restraint. M10 said that although they were respectful, the escorts were unsympathetic and unfriendly, and any requests made for help or information went unheeded until his arrival at the airport. M3 and M18 were the only detainees to report being handcuffed when being taken into the van. Neither took any issue with this, although one queried whether it had been over cautious.

### Information about the journey and removal process

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- 4.15 There was a correlation between the level of English proficiency and the reported levels of information about what would happen next. Of the seven detainees who felt that they were well informed about what would happen prior to their escort journeys, six (M3, M5, M18, M19, M20 and M21) had levels of English ranging between good and medium. The exception was M15, who spoke little English but had received useful information in Urdu from Oakington, Canterbury and Colnbrook.
- 4.16 Five individuals (F1, F2, M6, M7 and M12) said that they were informed that they were going to Heathrow a day or two before departure, but 13 detainees said that they had had very little or no notification. One detainee (F7) said that the short notice of transfer for both her and her children meant that her son did not have adequate clothing and was cold in the van during the journey, which took 4 hours and 40 minutes. She also said that she had not been allowed to make a phone call until they arrived at Queens Building. Five interviewees (M9, M10, M13, M14 and F6) said that they were simply told they were 'going to the airport' and leaving immediately.

- 4.17 Six interviewees said that language difficulties meant they were unaware of what was happening to them, and that this had heightened their anxiety (M4, M8, F3, F8, F9 and F4). F8 said that no information was given in any language about what was happening. She described being “scared, had no idea whatsoever where we were going to be taken to” during the journeys in the escort van. F9 similarly described being worried about what was happening: “God knows where we were going. No idea where we were going.”
- 4.18 There was a lack of information or use of telephone interpretation services at Queen’s Building that could have alleviated detainee distress and assisted the removal process and compliance while under escort. An incident report on a Chinese detainee who spoke no English showed that he was non-compliant on the plane and that staff attempted to talk him into cooperating and to explain the consequences of non-compliance. However, as this was done without interpretation it is not clear how they communicated this with him. The captain would not take him and he was returned to the Queen’s Building separation room.
- 4.19 There were other examples of staff action, or inaction, in the holding area which unnecessarily raised detainee stress levels in already stressful circumstances. We interviewed a Ghanaian woman standing by the pay phones who was visibly tense and distressed. Although the phone number for legal aid was on a laminated plaque by the phones, she had failed to get beyond an answer phone message, despite repeated efforts. The plaque had also been vandalised and a hole burned through the centre. Although the area was quiet, she was not offered support or guidance from the detention custody officers, whom she described as “unhelpful and not caring”.
- 4.20 Two men were confused about the Facilitated Returns Scheme (FRS)<sup>9</sup> to which both had signed up. M7 had wrongly assumed that he would be given a substantial sum of money on departure, as opposed to resettlement support on arrival home. Another detainee (M9) who had agreed to FRS at HMP Birmingham complained of having had no information since then, and this appeared to be largely as a result of his limited grasp of English.

## Other issues with the journey

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### Medication

- 4.21 Five detainees (M4, M5, M14, M11 and F9) said that they were unable to access their medication, either at Heathrow or leading up to their transfer. One detainee (F9) had medication in her property, which had come with her during transfer. Her IS91 clearly stated that she needed to take a tablet once a day. However, due to limited English her requests were not understood and she was not offered an interpreter. She said that she had seen a nurse at Yarl’s Wood IRC and was told that she would see a doctor there in the morning, but this did not happen as she was moved quickly back to Heathrow. Her medication was only retrieved from her baggage after she was interviewed by inspectors who relayed her discomfort to staff.
- 4.22 The IS91 documents of two individuals (M3 and F7) openly stated that they had, respectively, HIV and hepatitis B. It was inappropriate for such confidential personal medical information to be declared on an IS91.

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<sup>9</sup> FRS provides for people to be given a £46 discharge grant, in line with the grant to British prisoners, and, via the International Organisation for Migration, resettlement assistance in home countries.

## Property

- 4.23 Lack of help in obtaining personal possessions before transfer to Heathrow was a commonly reported grievance. One detainee (M4) had not received his phone, money and passport from the prison he had been in. He said that an immigration officer had told him she would follow this up, but he had little confidence in her as she apparently had an abrupt and challenging manner. He said he would rather be returned to prison than be removed without his money.
- 4.24 F4, who had spent time in Tinsley House IRC before arriving at Queen's Building, said that had someone told her where and when she was going, she could have arranged for some money and property to be delivered so that she could take it home with her. She had requested a free telephone call to her parents in Ghana, but as she had already called her solicitor she was not allowed to make a second call.
- 4.25 A further seven detainees also said that they had been unable to collect all the property they needed; two (M20 and M7) were not able to collect their belongings from previous addresses on discharge from prison, and five (M15, M19, M16, M10 and M3) were unable to collect some or any of their belongings when detained by the police. M15 had property in two police stations and had completed an Independent Police Complaints Commission form as his mobile phone was held at one of the police stations. There was little prospect of him receiving his property before removal, but he was keen to return home and was unlikely to resist removal.



## 5. Colnbrook IRC escort interviews

- 5.1 Seven arriving detainees were interviewed between 17 and 19 November 2008; of the seven, four had returned to Colnbrook IRC from Heathrow airport after their removals had failed for various reasons. One had travelled from Old Street police station in London, one had travelled from Campsfield House IRC and another from HMP Lincoln. All seven detainees were male, and ages ranged from 32 to 48 years.

|                      |                                                                  |
|----------------------|------------------------------------------------------------------|
| Failed removals      | Indian (D1)<br>Sri Lankan (D2)<br>Namibian (D3)<br>Nigerian (D4) |
| Police station       | Sri Lankan (D5)                                                  |
| Campsfield House IRC | Afghan (D6)                                                      |
| HMP Lincoln          | Ghanaian (D7)                                                    |

### Journey length

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- 5.2 The length of journey for the detainees whose removals had failed was short due to Colnbrook's close proximity to Heathrow airport. D7 estimated that his journey from HMP Lincoln was six hours, although he did not blame the escorts as the traffic had been bad. D5 travelled from a police station in London but, as the van had stopped off three or four times to pick up other detainees, he thought that the journey had taken three to four hours.

### Conditions of the escort van

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- 5.3 Individuals D4, D5, D6 and D7 all said that the van was cold, but none of the other respondents cited further issues.

### Escort staff–detainee relationships

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- 5.4 The detainee travelling from HMP Lincoln (D7) said that he was treated well by the escort staff and that they were communicative. He had been informed in the week prior to the journey that he would be taken to an immigration detention centre and was able to notify his family. D5, who had travelled from the police station, had no issues with the escort staff – although he said he would not describe them as 'friendly' – and he was given a phone call prior to the journey.
- 5.5 D6 had been made aware of his removal three or four days before our interview and, although he felt the escort staff were respectful, he was upset about how his transfer had been managed by centre staff. His initial concern was the weight restriction<sup>10</sup> placed on his luggage and that he might miss a visit expected the same day. He said that force was used against him by three centre officers, while around 10 other staff were nearby. He said he was pushed hard to the floor and pressed down by his neck with his face against the floor, while his hands were held behind his back. He could not recollect how long he was restrained but estimated five minutes. He felt he had done nothing to provoke this course of action and reported that he later suffered pains in his neck and back. He was subsequently placed in a room in reception to

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<sup>10</sup> The UKBA recently introduced a new 20kg limit on detainees' stored property, which is a common weight limit imposed by many airlines.

await the escort van and had not had an opportunity to say goodbye to friends he had made at the centre.

- 5.6 D1 had learned that he was to be removed five or six days prior to the arranged flight and said the escorts were friendly up to the point at which they left Queen's Building to board the flight. He then refused to cooperate and would not walk any further. He said he was not violent, but this was stated in the movement notification form. He said he was restrained by three escorts. From his description, approved techniques appear to have been used, with one escort pushing down his head and the others holding an arm each while pressing his hands backwards towards his forearms. No handcuffs were used and he was walked back to Queen's Building in this manner. He was told he would have overseas escorts on the next occasion.
- 5.7 D3 said that when he was moved from Colnbrook's short-term holding facility the day before his removal, two officers arrived at his room and, without any dialogue, 'grabbed' him to take him down to reception. As a result of initial non-compliance he described the further involvement of approximately 15 officers who helped to escort him to reception where he was then told he was to be removed that night. He was handcuffed and his legs were bound (he also stated that they sprayed something in his nose while restraining him, the nature of which was unclear) and he had no recollection of an officer filming the procedure with a camera. He remained in restraints while in the van and one of the four officers travelling with him in the back of the van allowed him to speak to his solicitor by holding the phone to his ear. After this he became more disruptive by shouting, and a white cloth was placed in his mouth. He stated that this cloth was only removed when he was moving from the terminal to the plane, and it was at this point that the removal was cancelled following contact from his solicitor. On returning to Colnbrook he was restrained with handcuffs, and he said that the escorts displayed anger and were verbally abusive towards him. He was being held in the segregation unit (Rule 40) at Colnbrook IRC at the time of interview. He denied that he had assaulted any officers and said that a member of healthcare only saw him several days afterwards, despite the fact that he complained of pain after being restrained. We did not find incident reports for this case, despite specifically searching for them.
- 5.8 Two other individuals (D2 and D4) whose removals had failed due to logistical difficulties (for example, delayed flights) said that they were treated respectfully by the escort staff and that no force was used during their movements. D2 had been notified of the removal attempt several days previously and had had the opportunity to contact family on his mobile. D4 was less content with the extent of information provided regarding the journey and claimed that he was not offered a phone call the day before his planned removal.

## Other issues with the journey

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- 5.9 None of the detainees interviewed said that a complaints process was explained to them. D6 wanted to complain about the use of force he experienced in the Campsfield House reception centre before departure, but did not know how to do this.

## 6. Use of the returns room at Queen's Building

- 6.1 A side room off the corridor from the main holding room was used to separate some categories of detainee, usually those refusing removal. At the 2007 inspection of Queen's Building<sup>11</sup> we found that the room was used without authorisation or documentation for detainees considered to be refractory. We also found cases when its use appeared arbitrary and unjustified. The room was now called the 'returns room', its usage was formally documented, and criteria for use had been produced. Despite these improvements, we found some inconsistencies, including when we compared the log to separately generated incident reports.
- 6.2 In the returns room logs, the word 'disruptive' appeared to be a default term justifying separation, but seemed to cover a wide range of circumstances. For example, one individual was described in an incident report as simply 'refusing to board the plane', 'the crew would not accept him' and he was returned without the use of restraint or handcuffs. However, the log stated that the same man was placed in the returns room because he was 'disruptive' during removal. In contrast, another individual was returned to Queen's Building after threatening to 'blow up the plane' but was apparently not considered disruptive enough to warrant the use of the returns room as there was no entry in the log for him. This exposed weaknesses in the formal assessment of risk to justify use of the returns room.
- 6.3 One of the criteria stipulated in the returns room policy was that the detainee 'has been violent or disruptive and it is reasonably believed may become violent again'. Of the 125 returns room logs examined (2 July to 5 December 2008) 14 indicated violence during removal. The largest number of cases (n=88) were those who had been 'involved in a failed removal' and where there were 'reasonable grounds he/she will assist other detainees in the main holding room to do the same', though the grounds for thinking so were not always clear from the logs.
- 6.4 The documentation required a reason 'for the returns room being used' and 'limitations set for the period of use, including period for checking', though there were many examples where an officer had simply stated that the removal had failed without giving further reason for using the returns room. Only a small number of the records contained any scheduled plan of the time to be spent in the returns room or the frequency of checks required, and it was difficult to gauge the rationale behind the decisions to eventually release individuals back into the main holding room.
- 6.5 Certain cases in the returns room logs suggested that the decision to separate was, in part, based more on the attitudes and behaviour of others awaiting removal in the main holding room. One cited that staff did not want an individual who had refused to comply 'mixing in the main holding area as there [were] two females refusing [to go] also', and another outlined how there were 'two detainees in the main area who may [have been] influenced by him'.
- 6.6 Incident reports from 28 August to 10 December 2008 showed that the longest period spent in the returns room was eight hours by an Ethiopian woman who, on the jetty, had thrown 'herself to the floor screaming' while 'thrashing her arms and legs about and trying to bang her head on the floor'. She was restrained and handcuffed and then conveyed to the returns room at Queen's Building. She was checked on reasonably frequently and offered food and drink. The policy stated that the 'time a detainee remains in the returns room will depend on the criteria continuing to be met' and 'as soon as the criteria cease to apply, a detainee must be removed from the returns room'. The log did not detail the reasons why the Ethiopian woman was

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<sup>11</sup> HM Inspectorate of Prisons (2007), *Report on the unannounced follow-up inspection of the short-term holding facility at Heathrow Queen's Building, 2–3 July 2007*.

deemed ready to return to the main holding area after eight hours in the returns room, so it was unclear at what point and why the criteria ceased to apply to her. Another case in the incident reports of a detainee subsequently held in the returns room was that of a Nigerian man, who was there for one and a half hours after being disruptive in the van and refusing to get out of the van. The incident involved only non-compliance and no violence or restraint occurred. The reason for the use of the returns room was that the detainee was 'very tired' and it was 'not known what time he will be collected for detention'.

- 6.7 The returns room was occasionally used when 'the detainee specifically requests to be placed somewhere more private'. One individual was 'very distressed' and was 'placed in the side room for privacy'. The individual was checked on reasonably frequently and there appeared to have been more engagement with him than was generally evidenced for other detainees, as the log included comments such as: 'spent approximately 30 minutes talking about his history in the UK and reasons for not returning'. Of the 125 returns room logs seen, 14 detainees were taken into the returns room on their own request.
- 6.8 Nine of the cases from the returns room logs involved incidents of self-harm or threatening to self-harm, five of which were recorded as the reason for the use of the returns room, and four which occurred while being held there. A Sri Lankan who 'had self-harmed on the plane' was kept in the returns room with explicit instructions for keeping a 'permanent eye on the detainee' and to 'watch him on the camera'. The officers involved appeared to engage with him, as indicated by comments such as 'had a very long chat with the detainee', and he was taken back to detention an hour and 25 minutes later. He had been observed 'scratching one of his cuts', though it appears there was no intervention made. Another individual held in the returns room was described on two occasions as 'banging his head on the wall', and intervention extended only as far as twice being 'told to stop'. The limitations in the support and monitoring provided for the care of vulnerable individuals in segregation are evident from the logs.
- 6.9 There appeared to be no tailored or overarching standard of care for those in the returns room, and the support provided was inconsistent across cases. The support offered, for example, to a self-harming individual may not have differed to any great extent to that provided for a detainee described as having been 'disruptive'. There were examples of more intensive support provided to certain individuals but this seemed to be provided on an ad hoc basis, deriving more from the personal judgement of individual officers than any standards of care. The entries shed little light on any systematic process for making decisions to place detainees into (or out of) the returns room, despite there being clear seven point criteria outlined in the G4S policy.



## 7. Observed removals

- 7.1 Inspectors observed nine removals of male detainees up to the point that the aircraft departed, as listed in the table below\*. Five detainees were accompanied by overseas escort staff who travelled with them to their destination because resistance to removal was expected. Four detainees were escorted on to the plane by G4S holding room staff, and then left alone. We were also able to observe staff approaches to other detainees who were escorted to flights.

|                        |                        |
|------------------------|------------------------|
| Removals from Heathrow | Senegalese (R1)        |
|                        | Pakistani (R2)         |
|                        | Chinese (R3)           |
|                        | Iraqi (R4)             |
|                        | Iraqi (R5)             |
|                        | Egyptian (R6)          |
|                        | Cameroonian (R7)       |
|                        | Ghanaian/Nigerian (R8) |
|                        | Sri Lankan (R9)        |

\* Nationalities of removals observed. Some flights involved more than one individual.

- 7.2 All of these detainees were removed as planned. Most were managed reasonably well, but some significant concerns emerged. Some detainees did not have their property at the removal stage and this contributed to difficult or frustrated removals. While many staff had a mature and professional manner, others behaved in a way that was likely to reduce the chances of a calm, safe and successful removal. There was also a lack of information provided for detainees and little clarity among staff about complaints procedures. The role and effectiveness of escort monitors managed by DEPMU was unclear.
- 7.3 The following case studies illustrate these issues to varying degrees.

### Example 1: discreet staff

(E1), a Senegalese man aged 28, was being returned to Senegal under the Facilitated Returns Scheme having served a sentence for forged documents. A member of staff from the International Organisation for Migration accompanied the detainee and G4S escort staff spoke to him continuously on the way to the aircraft. They were discreet in public areas, with equipment such as handcuffs and a first aid pack concealed under their jumpers. The escorting staff walked in a casual way at a normal distance from the detainee, and avoided drawing attention to the escort.

- 7.4 This case demonstrated good practice by escort staff, putting a compliant detainee at ease and ensuring that they did not draw attention to him. This contrasts with another observed removal involving a fully compliant Chinese national (E3). Although the removal was generally well managed, the detainee was concerned that other passengers might see that he was being escorted. On the way up the jetty, one of the two escorting staff had her arm linked under the detainee's arm, holding on to it. This was unnecessary as the detainee was not resisting in any way.
- 7.5 Similarly, an Egyptian national (E6) was being removed on a flight to Egypt. The detainee was cooperative throughout and was not restrained at any time. Staff were polite and explained what was happening at every stage. The removal was dealt with professionally but the process

of walking some distance through the terminal among members of the public, then jumping queues in passport control and security, unnecessarily drew attention to the detainee.

### Example 2 – property and staff practice

A Pakistani detainee was compliant up to the jetty, where he began to express concern about his driving licence and degree certificates, which he said he had been promised would be returned to him at the airport. Although he was not aggressive, one of the escorting staff impatiently and angrily said: “I am here to get you on the plane. If someone has broken a promise to you, that’s not my business. I just need to get you on this plane. I can’t help you with anything else, it’s not my job. Are you going to get on or not?” He continued at length to this effect, talking over the detainee.

Although the detainee was not making any attempt to get away, the two escorts then took his arms and put him into control and restraint arm locks. Staff later confirmed that this was to encourage compliance with deportation. When the detainee had taken his seat, the escorting detention custody officer (DCO) who had behaved aggressively immediately withdrew and waited outside the aircraft door. The other DCO remained with the detainee until the last moment before departure; he talked with him continuously, very quietly, sitting in the row behind him and so reducing the visual impression of any coercion. He talked at length about the documents issue, and the detainee’s mood became steadily calmer. Eventually the DCO persuaded the detainee to provide the address of someone to whom the documents could be sent. The action of this DCO contributed to a successful removal and to the wellbeing of the detainee, while the behaviour of the first DCO inflamed the situation.

- 7.6 This case demonstrates contrastingly good and poor practice by escort staff attempting to manage a resistant detainee. Escort staff managing detainees who show signs of non-compliance have to exercise persuasiveness, de-escalation and, if necessary, coercion, while ensuring decent treatment at all times and a reduction of impact on third parties. This example raises important questions about the training and instructions given to escorts. It also shows the impact that loss of property can have on detainees’ wellbeing and on the removal process.
- 7.7 UKBA staff very rarely attended boarding gates, and we were told by a chief immigration officer (CIO) that they only did so in very high profile cases, when there was ministerial involvement and high media interest. A monitoring function was carried out by two escort monitors managed by DEPMU, who arrived unannounced to observe a proportion of escorts. There was no policy to guide their role and they worked to no clear criteria. In this case, the monitor spent the time talking with the escorting staff. While it was encouraging that he had their confidence and there was a good working relationship, he did not raise any issues about the removal. The general impression was that the monitor did not feel that his role was to provide independent, detailed and critical assessment of practice.

### Example 3 – insensitive behaviour

A Sri Lankan national (E8) was being removed. The detainee said he was content to return, no restraints were used and the removal itself was without incident. Another unescorted detainee was leaving on the same flight, and was seated directly in front of the escorted man. He was upset about the fact that other passengers might think that he was the one being escorted – “it looks like I’m the troublemaker”. This impression was strengthened by the fact that two of the three escorts were standing up and leaning against his row of seats, while the other one was half seated just behind. All were big men, and they made no attempt to be more discreet by,

for example, sitting down. They brushed off the unescorted detainee's concerns without reply. He attempted, with difficulty, to concentrate on reading his book while other passengers were boarding.

- 7.8 Escort staff should make every effort to be discreet. The behaviour of these escorts was insensitive as they continued to stand up while passengers were boarding, drawing attention to both the escorted and unescorted detainee, whose obvious embarrassment and discomfort they ignored.
- 7.9 The contract monitor observed from a distance and did not speak to detainees. While his presence could have prevented inappropriate behaviour and was therefore desirable in itself, there was no evidence of proactive monitoring or engagement.

#### Example 4 – police involvement in removals

An Iraqi national (E4) was being removed to Germany having served a six month sentence for false instrument (passport), with a further two weeks at Colnbrook IRC. He had a history of self-harming while in custody. He was uncooperative and had initially refused to leave the IRC. He had been handcuffed to the front and staff had been given permission to use leg restraints, although this proved unnecessary. When inspectors joined the escort, the detainee was in the van with three members of staff, and two police officers were at the departure gate. The police officers and the team leader from Serco went to the plane to explain the situation to the captain and crew. The detainee was boarded before the other passengers. He was still in handcuffs, with one DCO on either side of him supporting his arms. On the way up the stairs and on to the plane he was crying and moaning loudly. He was seated in the rear of the aircraft between two DCOs, with the third DCO seated in front of him. The latter was leaning over the seat talking to the detainee, reassuring him and asking him why he was so upset. The detainee was incoherent and moaning and crying. At one point he was struggling with the handcuffs, rubbing them in an apparent attempt to cause himself injury rather than to slip the cuffs. The UKBA escort contract monitor was present and checked the handcuffs for tightness. The detainee had no cuts but his wrists were slightly red where he had been rubbing them. The DCO in front of him lent over the seat and held the middle of the cuffs so that the detainee could not move them and injure himself. The detainee continued to cry but did not explain why he was upset. He apparently spoke good English, having spent a number of years in the UK. As the passengers began to board the plane, he became calmer. The police officers were present throughout and explained to passengers what was happening. At the departure time the driver DCO, the two police officers, the escort monitor and inspector left the aircraft and it departed without incident. Staff were polite and professional throughout and did their best to reassure and calm the detainee. We could find no incident report on this incident at DEPMU when we looked, though there were incident reports from the same period.

- 7.10 A recent innovation to removal procedures, known as 'Operation Darley', entails the presence of two police officers at the time of removal to help escorting staff to manage detainees identified as potentially problematic. The police officers told us that the intention was for the presence of uniformed officers to deter violent resistance and said that, for the most part, this seemed to work as they rarely had to intervene. In some of these cases, they stayed out of sight of the detainee altogether if escort staff judged either that there was no need for them to provide a visible deterrent, or that sight of them could aggravate a hitherto calm detainee. We observed three Operation Darley-assisted removals, including the removal detailed in example 4. The other two passed smoothly with no concerns raised by the behaviour of detainees or

staff. In one of them, the police officers remained hidden from the detainee on advice from the escort staff.

### Example 5 – training issues and lack of information on complaints

A Cameroonian national (R7) was being removed by GEO overseas escorts. He was being escorted to Nairobi where he had a connecting flight to Cameroon. A previous removal attempt had failed after he became aggressive, and he had been in Colnbrook IRC for about three weeks awaiting the current flight. Inspectors spoke to the detainee when he arrived at Heathrow in the escort van, at which point he was already handcuffed. He openly stated that he would resist removal. He said he had an appeal pending. Escorts checked with UKBA staff, who confirmed there were no outstanding matters. A later check of his file papers held in the Removal Facilitation Unit confirmed this to be the case. He complained about the tightness of his restraints – they were checked by inspectors and not excessively tight. His top was slightly ripped and he said that this had happened during the struggle to put on the restraints. The escort staff said they did not know why his top was ripped.

The detainee did not have shoes on, and refused footwear when it was offered. He walked barefoot with resistance, from the van to the boarding ramp, where he started to scream 'help' and shouted for handcuffs to be loosened. Staff loosened them and spoke to him to try to calm him down. He then continued to walk slowly up the ramp, and then resisted violently once on board the aircraft, ramming his feet on either side of an aisle and pushing out against the escort staff. His feet were held together and he was lifted by the escorts to his seat, screaming and resisting all the way. When in the seat, leg restraints were applied and, according to incident reports, were left on for about an hour. He continued to scream for his handcuffs to be taken off and the escorts told him they would do so only if he calmed down.

The detainee was racially abusive to the one black member of the escort team, who was also the team leader. All the escort staff spoke to him quietly and appropriately. There was a considerable wait while other passengers boarded, and the detainee continued to shout throughout this period. To some extent, the escorts appeared to be waiting for him to tire and did not talk to him throughout the process. They felt that he would calm down on take off as he would realise that he had no chance of remaining in the country. Nearby passengers were briefed by the escort staff and the UKBA escorts monitor about what was happening.

At one point the detainee tried to bang his head on the seat in front of him. Staff had already put a blanket over it and then put their hands on it to cushion any impact. For a few seconds, one of the escorts held the detainee's head and shoulder to one side to prevent him from hitting it on the seat. He then stopped doing so. The plane took off with the detainee still shouting.

The escort team leader was asked to call inspectors on his return to England after the completion of the move. He said that the detainee continued to shout and to be abusive as far as Nairobi, where they had a lengthy wait before seeing him on to the connecting flight to Cameroon. However, when in Nairobi, he apparently calmed down and the rest of the move passed without incident.

There were no incident reports at DEPMU when we looked, though there were incident reports from the same period. They were sent on to us some weeks later on request. They were an accurate representation of what had happened up to the point of departure, but there was no mention of how the detainee's shirt came to be ripped.

- 7.11 Overall, this was a difficult and stressful situation for all involved, and well-handled by escort staff, who remained calm, focused and professional throughout. However, some questions emerged. For long periods, the approach was to let the detainee 'shout himself out' when it might have been more productive to continue talking with him. Escort staff appropriately relied largely on maturity and common sense, but they had not had any specific training for calming such situations. The detainee's handcuffs could have been loosened further as a negotiating tool, rather than stating that they would only be removed if he stopped shouting. There was no recorded authorisation for the use of leg restraints in the incident paperwork.
- 7.12 Escort staff were not sure about what they would do if the detainee had wanted to make a formal complaint. There was no protocol for informing him of complaints procedures, and the impression gained was that he would receive no assistance should he want to make a complaint in or out of the country.
- 7.13 Finally, as in other cases, the escort contract monitor's role was unclear. The monitor said he worked to no clear criteria and that he did not speak to detainees. In this case, he spent much of his time calming the plane passengers rather than monitoring the treatment of the detainee and the behaviour of escort staff.



## 8. Findings from incident report analysis

- 8.1 The incident reports related to removals that were particularly problematic for one reason or another, and most were failed removal attempts. They illustrated both the impact of the removal process on detainees and the practical problems underlying it. The main issues to emerge were: the prevalence of medical problems and a lack of health professionals; some flights being missed due to escort staff shortages; detainees being returned to the UK because the home authorities refused to accept that their documentation was genuine; inconsistencies around when force was to be used; and a lack of routine medical examination following the use of force on return to the holding area.

### Medical issues

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- 8.2 A number of detainees had previously known or emergent health problems requiring attention. Two Russians – one male and one female – were being removed. The man was shaking and grey and DCOs felt that he was in need of medical help. They aborted the removal and called health professionals. The detainee was given a 'clean bill of health' according to the G4S countersigning manager, though there were no notes from paramedics. The man had malaria, which was noted on his IS91, and a bag of tablets with no instructions. There was a doctor's note, but it was in Portuguese. The G4S countersigning manager recommended a wheelchair for future removal.
- 8.3 In another case, an American woman was escorted by three female and two male escorts. She saw a doctor at Terminal 3, then collapsed at the plane, apparently unable to walk. She was carried to the van and then placed in wheelchair. She was subsequently given paracetamol by the doctor and pronounced fit to fly, but was taken back to the Terminal 5 holding room and did not fly.
- 8.4 A detainee [nationality missing] became verbally abusive about being searched. He then became aggressive and pushed a DCO, and handcuffs were applied to him for 15 minutes. The captain refused to take him, and he was taken to Queen's Building. This is the only incident report we saw where the detainee was actually asked if he had any medical problem, to which he replied that he did not.
- 8.5 An American woman, travelling with her daughter, was diabetic and had not taken her medication for around a week, as it had run out. Staff decided that she needed assistance and she was taken to hospital in an ambulance.
- 8.6 Three removals were aborted owing to a lack of accompanying health professionals. In one case, a Georgian national had his removal aborted because escort staff became aware that he had hepatitis C and D and felt that they needed an accompanying health professional. It was unclear how this confidential medical information was known to general escort staff, and why a health professional had not been booked to accompany the removal in the first place.

### Use of force

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- 8.7 There appeared to be some inconsistency in when force was used. In a number of cases where detainees were escorted to the aircraft by in-country escort staff and then refused to comply, they were simply brought back to the holding room and overseas escorts were booked

for a future removal. In others, DCOs used force to take the detainee to the aircraft or part of the way to the aircraft before abandoning the removal.

- 8.8 Force was rarely effective when it was used by in-country escorts to encourage compliance with removal. In most cases where it was used for this purpose, detainees were taken part or all of the way to the aircraft before the removal was eventually aborted. An overseas escort was usually subsequently requested.
- 8.9 There was inconsistency in calling for medical attention. In five of the 66 cases reviewed, incident reports noted actual injuries to detainees' wrists as a result of the use of handcuffs, and in two further cases they noted the possibility of injury as a result of handcuffs. In one of these cases a health professional was called to examine the detainee, while in another a health professional was present as part of the overseas escort team. Another noted that the detainee was offered medical attention. In the remaining four cases, there was no evidence that a medical examination had taken place. In one of the cases where a 'minor injury to wrists' was noted by the DCO completing the incident report, the report went on to say that the detainee had alleged that staff were racist. There was no further information on this, and no mention of whether the detainee was offered the opportunity to submit a complaint.
- 8.10 After uses of force that did not involve mechanical restraints, the picture was similarly inconsistent. For example, in one case an Afghan national refused to leave Queen's Building and force was used to take him to an escort van. At that point it was decided that removal was unlikely. The detainee was returned to the Queen's Building returns room, and was carried inside by escort staff as he was still not complying. He was apparently impassive when brought back to the Queen's Building; one of the DCO incident reports noted that he 'had eye movement', but another contradicted this, saying that he was 'unresponsive and had his eyes closed'. It was unclear why no health professional was called.
- 8.11 We noted a further three similar cases, when force was used to return detainees to Queen's Building following aggressive behaviour towards staff or attempts to escape. Each had different outcomes. In one, a Chinese detainee who had tried to run away was brought back to the holding area in arm locks, and was seen by a paramedic. In the other two cases, an Indian detainee had fallen to the floor and tried to bite a DCO when forcibly pulled up, while an Eritrean had attempted to bite and kick staff. There was no evidence of medical checks on either of these detainees.

## Reasons for other failed removals

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- 8.12 Four Afghan detainees, who were initially willing to go, refused following an unnecessary and intimidating intervention by overseas escorts. The latter were managing an unrelated removal, and had nothing to do with these four unescorted detainees. The overseas escort team leader approached them, showed them his handcuffs, tapped them and, according to one in-country DCO's report (all DCO reports were similar), said: "We all have these, if any of you are naughty on the plane, you will be dealt with by us... and you will be sorry". All of the detainees were taken back to Queen's Building. The posturing and interference by the overseas escorts appears to have led to this failed unescorted removal; at least one of the DCOs who filed incident reports was convinced that their actions led directly to the refusal.
- 8.13 There were three obvious cases of resistant detainees being unable to speak English, one of whom had self-harmed during escort by banging his head against the van door. There was no mention of any interpretation being used by escorts to communicate with him.



- 8.14 Three of the sample missed flights were as a result of delays caused by a lack of in-country escort staff, either to bring detainees to Queen's Building or to subsequently take them to the departure gate. Another three were removed but then returned to the UK because the receiving authorities did not accept that the paperwork was genuine. Although we only found one detainee in our sample who was refused entry to Iraq, we were told by DEPMU staff that this was particularly common for Iraqi detainees. In one case, during the removal of a woman to Mozambique, the escort staff were themselves arrested and detained for two days after the Mozambique authorities disputed the validity of an EU letter, and demanded a passport or letter from the embassy.
- 8.15 In one case, a Sri Lankan refused to board the aircraft and removed items of clothing. He was brought back to Queen's Building, where staff were told that a judicial review had been granted. He was then allowed back into the main detention area. The lateness of the judicial review meant that if he had not refused to board, he would have been removed.



## 9. Recommendations

### Main recommendations

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- 9.1 Detention and escorting staff should tell detainees how to make a complaint and information on the complaints process should be provided in appropriate languages.
- 9.2 Detention and escorting staff should receive regular training and systematic guidance on the provision of appropriate care and support to vulnerable and distressed detainees.
- 9.3 Detainees subject to the use of force, including handcuffs, should be promptly medically assessed.
- 9.4 Detainees should be reunited with their property before removal.
- 9.5 Detention and escorting staff training and instructions should reflect the importance of safeguarding the wellbeing of the detainee and maximising the chances of a calm and safe removal.
- 9.6 There should be clear criteria for monitoring the escort and removal process which should define the role of the DEPMU escort contract monitors and the behaviour and standards they are looking for.
- 9.7 Detention and escorting staff should use force only as a last resort, where de-escalation techniques have failed, and with the minimum force necessary to ensure the safety of the detainee and staff.

### Recommendations

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- 9.8 Detainees should not be subject to exhausting consecutive movements.
- 9.9 Detention and escorting staff should use professional interpretation when communicating key information, including about journeys and medication to detainees, and whenever necessary to alleviate anxiety.
- 9.10 Detention and escorting staff should check that detainees have access to all prescribed medication at appropriate times.
- 9.11 Specific details of confidential health information should not be recorded on IS91 forms or other documentation.
- 9.12 Detainees should only be held in the 'returns' separation room following a systematic and formal documented risk assessment.
- 9.13 Consistent standards of care should be established for the use of separation and records should clearly show a plan of the time to be spent in separation, the frequency of checks required, and the rationale behind the decisions to return individuals to the main holding room.

- 9.14 Use of force incident reports should be fully and promptly completed in every case, showing specific authorisation for restraints.
- 9.15 Detention and escorting staff should not unnecessarily draw attention to detainees being removed in public areas.
- 9.16 Detainees should be able to make free phone calls before the commencement of their escort to contact family, friends and legal advisors.